

FEDERAL REGISTER

VOLUME 25 1934 NUMBER 226

OF THE UNITED STATES

Washington, Saturday, November 19, 1960

Contents

Agricultural Marketing Service

PROPOSED RULE MAKING:

- Milk in Southeastern Florida marketing area; recommended decision and opportunity to file written exceptions on proposed amendments to tentative agreement and order..... 11035
- Walnuts grown in California, Oregon and Washington..... 11035

RULES AND REGULATIONS:

- Handling limitations; fruit grown in Arizona and California:
- Lemons..... 11028
 - Navel oranges (2 documents)..... 11025
- Shipment limitations; oranges, grapefruit, tangerines, and tangelos grown in Florida (4 documents)..... 11025-11027

Agriculture Department

See Agricultural Marketing Service; Commodity Credit Corporation.

Atomic Energy Commission

NOTICES:

- Aerojet-General Nucleonics; construction permits; amendment and reissuance..... 11041
- Elk River Power Demonstration, Reactor Program Project; hearing on operation of nuclear facility..... 11042
- University of Florida; facility license amendment..... 11041
- U.S. Air Force and Lockheed Aircraft Corp.; applications for utilization facility licenses..... 11042

Civil Aeronautics Board

NOTICES:

Hearings, etc.:

- Compania Mexicana de Aviacion, S. A..... 11041
- Rutas Aereas de Colombia Limitada..... 11041

PROPOSED RULE MAKING:

- Uniform system of accounts and reports for certificated air carriers..... 11038

Commerce Department

See Maritime Administration.

Commodity Credit Corporation

RULES AND REGULATIONS:

- Feed grain export program..... 11032
- Tobacco; 1960 loan program..... 11030

Federal Aviation Agency

PROPOSED RULE MAKING:

- Control zone; modification..... 11039
- Restricted area/military climb corridor, designation; and modification of Federal airways..... 11039

Federal Communications Commission

NOTICES:

Hearings, etc.:

- Abilene Radio and Television Co. et al..... 11042
- Bi-States Co. (KHOL-TV) and Topeka Broadcasting Assn., Inc. (WIBW-TV)..... 11043
- College Park Broadcasting Co., Inc..... 11043
- Empire Communications Co. and Telephone Answering Service..... 11043
- Maine Radio and Television Co. (WCSH-TV)..... 11043
- Martin Theatres of Georgia, Inc. (WTVM) and Columbus Broadcasting Co., Inc. (WRBL-TV)..... 11043
- Mid-America Broadcasting System, Inc., et al..... 11043
- Skyline Broadcasters, Inc., and Earl McKinley Trabue..... 11043
- Walterboro Radiocasting Co. (WALD) and Altamaha Broadcasting Co. (WBGR)..... 11044
- Washington Broadcasting Co. (WOL) et al..... 11044
- WCYN Radio, Inc. (WCYN) et al..... 11044
- Western Broadcasting Co. et al..... 11044

Fish and Wildlife Service

RULES AND REGULATIONS:

- Sport fishing; Loxahatchee National Wildlife Management Area, Florida..... 11034

General Services Administration

RULES AND REGULATIONS:

- Procurement by negotiation; types of contracts..... 11030

Interior Department

See Fish and Wildlife Service.

Internal Revenue Service

RULES AND REGULATIONS:

- Manufacturers and retailers excise taxes; radio and television sets, phonographs, phonograph records and musical instruments..... 11028

Interstate Commerce Commission

NOTICES:

- Fourth section applications for relief..... 11049
- Motor carrier transfer proceedings..... 11049

Labor Department

See Wage and Hour Division.

Maritime Administration

PROPOSED RULE MAKING:

- Federal ship mortgage and loan insurance..... 11038

Securities and Exchange Commission

NOTICES:

Hearings, etc.:

- Basic, Inc..... 11045
- General Pacific Corp..... 11045
- Natus Corp..... 11045

(Continued on next page)

Small Business Administration**NOTICES:**

Chicago regional office; authority delegations:	
Deputy regional chief.....	11048
Financial Assistance Division; chief.....	11046
Loan Liquidation Section; chief.....	11048
Procurement and Technical Assistance Division; chief.....	11047
Regional counsel.....	11047

Indianapolis, Ind.; branch manager.....	11047
Licensing and Loan Division chief; authority delegation.....	11048
Office of Investment chief; authority delegation.....	11048
Texas; declaration of disaster area.....	11046

Treasury Department

See Internal Revenue Service.

Wage and Hour Division**RULES AND REGULATIONS:**

Chemical, petroleum, rubber, and related products industry in Puerto Rico; wage order giving effect to recommendations.....	11032
---	-------

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

6 CFR

464.....	11030
484.....	11032

7 CFR

914 (2 documents).....	11025
933 (4 documents).....	11025-11027
953.....	11028

PROPOSED RULES:

984.....	11035
1018.....	11035

14 CFR**PROPOSED RULES:**

241.....	11038
600.....	11039
601.....	11039
608.....	11039

26 (1954) CFR

48.....	11028
---------	-------

29 CFR

670.....	11032
----------	-------

41 CFR

5-3.....	11030
5-51.....	11030

46 CFR**PROPOSED RULES:**

298.....	11038
----------	-------

50 CFR

33.....	11034
---------	-------

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Order from Superintendent of Documents, United States Government Printing Office, Washington 25, D.C.



FEDERAL REGISTER

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prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 192, Amdt. 1]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of navel oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (i) of § 914.492. (Navel Orange Regulation 192 25 F.R. 10760) are hereby amended to read as follows:

- (i) District 1: Unlimited movement.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 16, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 60-10802; Filed, Nov. 18, 1960;
8:47 a.m.]

[Navel Orange Reg. 193]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 914.493 Navel Orange Regulation 193.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after

giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 17, 1960.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., November 20, 1960, and ending at 12:01 a.m., P.s.t., November 27, 1960, are hereby fixed as follows:

- (i) District 1: 700,000 cartons;
 - (ii) District 2: Unlimited movement;
 - (iii) District 3: 85,000 cartons;
 - (iv) District 4: Unlimited movement.
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 18, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 60-10876; Filed, Nov. 18, 1960;
11:21 a.m.]

[Orange Reg. 379]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.1031 Orange Regulation 379.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida effective under the ap-

plicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, except Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, except Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 15, 1960, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, except Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140-51.1178 of this title; 25 F.R. 8211).

(2) During the period beginning at 12:01 a.m., e.s.t., November 21, 1960, and ending at 12:01 a.m., e.s.t., December 5, 1960, no handler shall ship between the

production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, except Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos: *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2\frac{5}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{1}{16}$ inches in diameter or smaller.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 16, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 60-10801; Filed, Nov. 18, 1960;
8:47 a.m.]

[Grapefruit Reg. 332]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.1032 Grapefruit Regulation 332.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provi-

sions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 15, 1960, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750-51.783 of this title; 25 F.R. 8219).

(2) During the period beginning at 12:01 a.m., e.s.t., November 21, 1960, and ending at 12:01 a.m., e.s.t., December 5, 1960, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which are not mature and do not grade at least U.S. No. 1: *Provided*, That such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade, and may have slightly rough texture caused only by speck type melanose;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than $3\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit; or

(iii) Any seedless grapefruit, grown in the production area, which are smaller than $3\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified

in said United States Standards for Florida Grapefruit.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 16, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 60-10800; Filed, Nov. 18, 1960;
8:47 a.m.]

[Tangerine Reg. 218]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS, GROWN IN FLORIDA

Limitation of Shipments

§ 933.1033 Tangerine Regulation 218.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangerines, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 15, 1960, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it

is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810-51.1834 of this title; 25 F.R. 8216).

(2) During the period beginning at 12:01 a.m., e.s.t., November 21, 1960, and ending at 12:01 a.m., e.s.t., December 5, 1960, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangerines, grown in the production area, that do not grade at least U.S. No. 1; or

(ii) Any tangerines, grown in the production area, that are of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2} \times 9\frac{1}{2} \times 19\frac{1}{8}$ inches; capacity 1,726 cubic inches).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 16, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 60-10804; Filed, Nov. 18, 1960;
8:48 a.m.]

[Tangelo Reg. 24]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.1034 Tangelo Regulation 24.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the

public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangelos, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 15, 1960, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangelos, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140-51.1178 of this title; 25 F.R. 8211).

(2) During the period beginning at 12:01 a.m., e.s.t., November 21, 1960, and ending at 12:01 a.m., e.s.t., December 5, 1960, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than $2\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United

States Standards for Florida Oranges and Tangelos.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 16, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 60-10803; Filed, Nov. 18, 1960;
8:48 a.m.]

[Lemon Reg. 873]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.980 Lemon Regulation 873.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based becomes available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and

compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 15, 1960.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., November 20, 1960, and ending at 12:01 a.m., P.s.t., November 27, 1960, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 372,000 cartons;
- (iii) District 3: 74,400 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 17, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 60-10845; Filed, Nov. 18, 1960;
8:52 a.m.]

Title 26—INTERNAL REVENUE, 1954

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES [T.D. 6504]

PART 48—MANUFACTURERS AND RETAILERS EXCISE TAXES

Subpart J—Radio and Television Sets, Phonographs, Phonograph Records, and Musical Instruments

On December 19, 1959, notice of proposed rule making with respect to the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48) under Subchapter C of Chapter 32 of the Internal Revenue Code of 1954, as in effect January 1, 1959, relating to the manufacturers excise tax imposed on the sale of radio and television receiving sets, phonographs, combinations of any of the foregoing, phonograph records, radio and television components, and musical instruments by manufacturers, producers, or importers was published in the FEDERAL REGISTER (24 F.R. 10311). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the regulations as so published are hereby adopted, subject to the change set forth below:

Paragraph (b) of § 48.4142-1 is revised.

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

Approved: November 15, 1960.

FRED C. SCRIBNER, Jr.,
Acting Secretary of the Treasury.

The Manufacturers and Retailers Excise Tax Regulations adopted under sub-

chapter C of chapter 32 of the Internal Revenue Code of 1954, as amended, and in effect on January 1, 1959, read as follows:

Subpart J—Radio and Television Sets, Phonographs, Phonograph Records, and Musical Instruments

ENTERTAINMENT EQUIPMENT

RADIO AND TELEVISION SETS, PHONOGRAPHS AND RECORDS, ETC.

- Sec.
- 48.4141 Statutory provisions; imposition of tax.
 - 48.4141-1 Imposition and rate of tax.
 - 48.4141-2 Parts or accessories.
 - 48.4142 Statutory provisions; definition of radio and television component.
 - 48.4142-1 Radio and television components.
 - 48.4143 Statutory provisions; exemption for communication, etc., equipment.
 - 48.4143-1 Exemption of communication, etc., equipment.
 - 48.4143-2 Other tax-free sales.

MUSICAL INSTRUMENTS

- 48.4151 Statutory provisions; imposition of tax.
- 48.4151-1 Imposition and rate of tax.
- 48.4151-2 Tax-free sales.

AUTHORITY: §§ 48.4141 to 48.4143-2 and §§ 48.4151 to 48.4151-2 are issued under sec. 7805, I.R.C. 1954; 68A Stat. 917; 26 U.S.C. 7805.

Subpart J—Radio and Television Sets, Phonographs, Phonograph Records, and Musical Instruments

ENTERTAINMENT EQUIPMENT

RADIO AND TELEVISION SETS, PHONOGRAPHS AND RECORDS, ETC.

§ 48.4141 Statutory provisions; imposition of tax.

SEC. 4141. *Imposition of tax.* There is hereby imposed upon the sale by the manufacturer, producer, or importer of the following articles (including in each case parts or accessories therefor sold on or in connection with the sale thereof), a tax equivalent to 10 percent of the price for which so sold:

- Radio receiving sets.
- Automobile radio receiving sets.
- Television receiving sets.
- Automobile television receiving sets.
- Phonographs.
- Combinations of any of the foregoing.
- Radio and television components.
- Phonograph records.

[Sec. 4141 as amended and in effect Jan. 1 1959]

§ 48.4141-1 Imposition and rate of tax.

(a) *Imposition of tax.* Section 4141 imposes a tax upon the sale by the manufacturer, producer, or importer of the following articles (including in each case parts or accessories therefor sold on or in connection with the sale thereof):

- (1) Radio receiving sets,
- (2) Automobile radio receiving sets,
- (3) Television receiving sets,
- (4) Automobile television receiving sets,
- (5) Phonographs,
- (6) Combinations of any of the foregoing,
- (7) Radio and television components, and
- (8) Phonograph records.

See section 4143 and § 48.4143-1 for exemption from tax in respect of the sale

of articles specified in subparagraphs (1) through (6) of this paragraph which are communication, detection, or navigation equipment of the type used in commercial, military, or marine installations, and for exemption from tax in respect of radio and television components suitable for use only on or in connection with, or as component parts of, such equipment.

(b) *Rate of tax.* The tax is imposed upon the sale of articles specified in section 4141 and in paragraph (a) of this section at the rate of 10 percent of the price for which sold. For definition of the term "price", see section 4216 and the regulations thereunder contained in Subpart M of this part.

(c) *Liability for tax.* The tax imposed by section 4141 is payable by the manufacturer, producer, or importer making the sale.

(d) *Phonograph records.* The term "phonograph records" means all disks, cylinders, or other articles, regardless of the material from which they are made, upon which are recorded music, speech, or other sounds which are capable of reproduction by means of a phonograph. The term does not include tape or wire recordings.

§ 48.4141-2 Parts or accessories.

(a) *In general.* The tax attaches in respect of parts or accessories for articles specified in section 4141 and paragraph (a) of § 48.4141-1 sold on or in connection with the sale thereof at the rate applicable to the sale of the basic articles. The tax attaches in such case whether or not the parts or accessories are billed separately. On the other hand, no tax attaches in respect of parts or accessories for articles specified in section 4141 and paragraph (a) of § 48.4141-1 which are sold otherwise than on or in connection with such articles or with the sale thereof.

(b) *Essential equipment.* If taxable articles are sold by the manufacturer, producer, or importer thereof without parts or accessories which are considered equipment essential for the operation or appearance of such articles, the sale of such parts or accessories will be considered, in the absence of evidence to the contrary, to have been made in connection with the sale of the basic article even though they are shipped separately at the same time or on a different date.

§ 48.4142 Statutory provisions; definition of radio and television component.

SEC. 4142. *Definition of radio and television component.* As used in section 4141, the term "radio and television components" means chassis, cabinets, tubes, speakers, amplifiers, power supply units, antennae of the "built-in" type, phonograph mechanisms, and phonograph record-players, which are suitable for use on or in connection with, or as component parts of, any of the articles enumerated in section 4141, whether or not primarily adapted for such use.

[Sec. 4142 as amended and in effect Jan. 1, 1959]

§ 48.4142-1 Radio and television components.

(a) *In general.* The term "radio and television components" means chassis, cabinets, tubes, speakers, amplifiers, power supply units, antennae of the "built-in" type, phonograph mechanisms, and phonograph record-players, which are suitable for use on or in connection with, or as a component part of, any radio or television receiving set, phonograph, or combination of any of the foregoing.

(b) *Suitable for use defined.* An item is suitable for use, within the meaning of section 4142 and paragraph (a) of this section, if it is commonly used with any of the articles enumerated in section 4141 and paragraph (a) (1) through (6) of § 48.4141-1 or if it possesses actual, practical commercial fitness for such use. It is immaterial whether the item is primarily adapted for such use.

(c) *Definitions—(1) Chassis.* The term "chassis" includes any assembly of parts into circuits for the reception and conversion of radio or television signals into impulses suitable for the reproduction of (i) sound by a radio receiving set, or (ii) a picture, either with or without its associated sound, by a television receiving set.

(2) *Cabinets.* The term "cabinets" includes containers suitable for housing a chassis for any radio or television receiving set, phonograph, or combination of any of the foregoing.

(3) *Tubes.* The term "tubes" includes tubes of all types suitable for use on or in connection with, or as component parts of, any radio or television receiving set, phonograph, or combination of any of the foregoing.

(4) *Speakers.* The term "speakers" includes all devices for use in converting electrical impulses to sound whether or not equipped with coupling units (but not including earphones) which are suitable for use on or in connection with, or as component parts of, any radio or television receiving set, phonograph, or combination of any of the foregoing.

(5) *Amplifiers.* The term "amplifiers" includes all apparatus for the amplification of audio frequency or video frequency impulses which are suitable for use on or in connection with, or as component parts of, any radio or television receiving set, phonograph, or combination of any of the foregoing.

(6) *Power supply units.* The term "power supply units" includes all devices which are suitable for use on or in connection with, or as component parts of, any radio or television receiving set, phonograph, or combination of any of the foregoing and which convert electric current of ordinary commercial and domestic voltages into electric current voltages suitable for operating any such articles.

(7) *Antennae of the "built-in" type.* The term "antennae of the 'built-in' type" includes all types of aeriels designed to be contained in any radio or television receiving set, or combination of any of the foregoing.

(8) *Phonograph mechanism.* The term "phonograph mechanism" means any article consisting of at least a motor, pick-up arm, and turntable, even though the article may also have other parts, but which in its entirety does not constitute a phonograph record player or a phonograph.

(9) *Phonograph record-player.* The term "phonograph record-player" means an article capable of playing phonograph records (as defined in paragraph (d) of § 48.4141-1) but lacking an amplifier or a speaker, or both.

§ 48.4143 Statutory provisions; exemption for communication, etc., equipment.

SEC. 4143. *Exemption for communication, etc., equipment—(a) In general.* Except in the case of radio and television components and phonograph records, the tax imposed by section 4141 shall not apply to communication, detection, or navigation equipment of the type used in commercial, military, or marine installations.

(b) *Components.* The tax imposed by section 4141 on radio and television components shall not apply to any article which is suitable for use only on or in connection with, or as a component of, articles exempt from tax under subsection (a).

[Sec. 4143 as amended and in effect Jan. 1, 1959]

§ 48.4143-1 Exemption of communication, etc., equipment.

(a) *Radio and television receiving sets, etc.* The tax imposed by section 4141 shall not apply to radio or television receiving sets, phonographs, or combinations of any of the foregoing which are designed and manufactured for use primarily as communication, detection, or navigation equipment and are of the type used in commercial, military, or marine installations. The following articles are illustrative of the type of articles which are exempt under this section:

- (1) Radar equipment,
- (2) Sonar equipment,
- (3) Receivers for use in connection with ship-to-ship and ship-to-shore equipment, and
- (4) Radio direction finding equipment.

(b) *Radio and television components.* The tax imposed by section 4141 shall not apply to a radio or television component suitable for use only on or in connection with, or as a component of, a radio or television receiving set, phonograph, or combination of any of the foregoing which is exempt under section 4143(a) as an article designed and manufactured primarily as communication, detection, or navigation equipment of the type used in commercial, military, or marine installations. However, a radio or television component is not exempt from tax under section 4143(b) if it is suitable for use on or in connection with, or as a component of, both (1) a radio or television receiving set or phonograph, or any combination thereof, exempt under section 4143(a), and (2) any radio or television receiving set or phonograph, or any combination thereof, which is not exempt under section 4143(a), whether or not the use with the nontaxable article is its primary use.

§ 48.4143-2 Other tax-free sales.

For provisions relating to tax-free sales of articles referred to in section 4141, see—

(a) Section 4221, relating to certain tax-free sales;

(b) Section 4222, relating to registration; and

(c) Section 4223, relating to special rules with respect to further manufacture;

and the regulations thereunder contained in Subpart N of this part.

MUSICAL INSTRUMENTS**§ 48.4151 Statutory provisions; imposition of tax.**

Sec. 4151. *Imposition of tax.* There is hereby imposed upon the sale of musical instruments by the manufacturer, producer, or importer a tax equivalent to 10 percent of the price for which so sold.

[Sec. 4151 as originally enacted and in effect Jan. 1, 1959]

§ 48.4151-1 Imposition and rate of tax.

(a) *In general.* Section 4151 imposes a tax upon the sale of musical instruments by the manufacturer, producer, or importer thereof.

(b) *Rate of tax.* The tax is imposed upon the sale of musical instruments at the rate of 10 percent of the price for which sold. For a definition of the term "price", see section 4216 and the regulations thereunder contained in Subpart M of this part.

(c) *Liability for tax.* The tax imposed by section 4151 is payable by the manufacturer, producer, or importer making the sale.

(d) *Definition of musical instruments.* The term "musical instruments" includes all wind, reed, string, percussion or electronic instruments used to produce music, including but not limited to all types of pianos and organs, trombones, saxophones, violins, drums, xylophones, chimes, cymbals, bongos, castanets, maracas, claves, etc. The term does not include articles in the nature of toys or novelties which simulate musical instruments and which are unsuitable for use in playing musical compositions or in teaching music.

§ 48.4151-2 Tax-free sales.

For provisions relating to tax-free sales of musical instruments, see:

(a) Section 4221(a) relating to tax-free sales in general, including tax-free sales to nonprofit educational organizations for their exclusive use;

(b) Section 4221(e)(3) relating to tax-free sales of musical instruments to religious institutions for exclusively religious purposes;

(c) Section 4222 relating to registration; and

(d) Section 4223 relating to special rules with respect to further manufacture;

and the regulations thereunder contained in Subpart N of this part.

[F.R. Doc. 60-10809; Filed, Nov. 18, 1960; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS**Chapter 5—General Services Administration****PART 5-3—PROCUREMENT BY NEGOTIATION****Subpart 5-3.4—Types of Contracts****PART 5-51—CONTRACT FINANCING****Subpart 5-51.2—Progress Payments****MISCELLANEOUS AMENDMENTS**

1. New §§ 5-3.404-3 and 5-3.405-3 are added, as follows:

§ 5-3.404-3 Cost-plus-a-fixed-fee contract.

(a) *General.* Except as specified in paragraphs (b) and (c) of this § 5-3.404-3, the fixed fee shall not exceed 10 percent of the estimated cost of the contract, exclusive of the fee, as determined by the head of the service conducting the procurement, at the time of entering into a cost-plus-a-fixed-fee contract.

(b) *Experimental, developmental, or research work.* The fixed fee shall not exceed 15 percent of the estimated cost of the contract, exclusive of the fee, as determined by the head of the service conducting the procurement, at the time of entering into a cost-plus-a-fixed-fee contract for experimental, developmental, or research work.

(c) *Architectural or engineering services.* The fixed fee shall not exceed 6 percent of the estimated cost of the project to which the fee is applicable, exclusive of fees, as determined by the head of the service conducting the procurement, at the time of entering into a cost-plus-a-fixed-fee contract for architectural or engineering services relating to any public works or utility project.

§ 5-3.405-3 Letter contract.

(a) *Limitation of use.* Letter contracts shall be used only when the contracting officer has obtained prior approval of the head of the service conducting the specific procurement.

(b) *Limitation of effectiveness.* A letter contract shall be superseded by a definitive contract not more than 90 days from the date of its execution unless prior approval is obtained from the head of the service conducting the procurement to extend the duration of the letter contract beyond 90 days.

(c) *Limitation of liability.* The maximum liability of the Government stated in a letter contract shall not exceed 50 percent of the total estimated cost of the procurement, except in cases where the cost of specialized equipment or materials (such as mechanical or electrical) to be acquired by the contractor as a part of the contract exceeds 50 percent of the total estimated cost thereof. The

cost of the specialized equipment and material shall be the limitation in those cases where it exceeds the 50 percent limitation.

(d) *Conditions for use.* The authority to issue letter contracts is contingent on compliance with the following:

(1) Each letter contract shall contain all mandatory clauses and further shall contain a provision that the definitive contract will contain all mandatory clauses, and such other clauses, as are necessary to protect fully the interest of the Government.

(2) Each letter contract shall contain the estimated total cost of the procurement and a provision for further negotiation of the cost.

(3) The fixed fee in a cost-reimbursement type of letter contract shall not exceed the limitations set forth in § 5-3.404-3. In establishing the fixed fee, consideration shall be given to the following:

(i) The degree of risk to the contractor.

(ii) The estimated cost of the following as compared with the total estimated definitive contract price: material, subcontracting, purchased parts, and "off-the-shelf" items.

(iii) The size of the proposed contract.

(4) The profit to be paid shall be consistent with the protection afforded to the contractor in the minimizing or removal of risk to him, with due consideration given to the estimated cost of the following as compared to the total estimated definitive contract price: material, subcontracting, purchased parts, and "off-the-shelf" items.

§ 5-51.204 [Amendment]

2. In § 5-51.204(a) "§ 5-51.206" is amended to read "§ 5-51.205".

Effective date. These regulations are effective immediately.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Dated: November 14, 1960.

FRANKLIN FLOETE,
Administrator.

[F.R. Doc. 60-10787; Filed, Nov. 18, 1960; 8:45 a.m.]

Title 6—AGRICULTURAL CREDIT**Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture****PART 464—TOBACCO****Subpart—1960 Tobacco Loan Program**

Set forth below are schedules of advance rates, by grades, for the 1960 crop

of types 21, 22, 23, 31, 35, 36, and 37 tobacco, under the tobacco loan program formulated by Commodity Credit Corporation and Commodity Stabilization Service, published July 6, 1960 (25 F.R. 6323).

Sec.

- 464.1231 1960 Crop—Virginia Fire-cured Tobacco, Type 21, advance schedule.
 464.1232 1960 Crop—Kentucky-Tennessee Fire-cured Tobacco, Types 22 and 23, advance schedule.
 464.1233 1960 Crop—Burley Tobacco, Type 31, advance schedule.
 464.1234 1960 Crop—Dark Air-cured Tobacco, Types 35 and 36, advance schedule.
 464.1235 1960 Crop—Virginia Sun-cured Tobacco, Type 37, advance schedule.

AUTHORITY: §§ 464.1231 to 464.1235 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 403, 63 Stat. 1051, as amended, 1054; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421, 1423; sec. 125, 70 Stat. 198, 7 U.S.C. 1813; Public Law 86-80, 73 Stat. 178.

§ 464.1231 1960 Crop—Virginia Fire-cured Tobacco, Type 21, advance schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Length 46	Length 45	Length 44	Length 43
A1F	60.12	60.12		
A2F	55.12	56.12		
A1D	60.12	60.12		
A2D	55.12	56.12		
B1F	56.12	56.12		
B2F	53.12	53.12	49.12	
B3F	43.12	44.12	41.12	37.12
B4F	36.12	38.12	37.12	35.12
B5F	33.12	34.12	33.12	31.12
B1D	56.12	56.12		
B2D	52.12	52.12	48.12	
B3D	43.12	44.12	41.12	37.12
B4D	36.12	38.12	37.12	35.12
B5D	33.12	34.12	33.12	31.12
B3M	36.12	37.12	36.12	35.12
B4M	35.12	36.12	35.12	33.12
B5M	31.12	32.12	31.12	27.12
B3G	36.12	37.12	36.12	35.12
B4G	35.12	36.12	35.12	33.12
B5G	31.12	32.12	31.12	27.12
C1L	60.12	60.12		
C2L	55.12	55.12	51.12	
C3L	48.12	48.12	44.12	
C4L	38.12	39.12	38.12	
C5L	33.12	34.12	33.12	
C1F	60.12	60.12		
C2F	55.12	55.12	51.12	
C3F	48.12	48.12	44.12	
C4F	38.12	39.12	38.12	
C5F	33.12	34.12	33.12	
C2D	33.12	34.12	33.12	
C3D	29.12	30.12	29.12	
C4D	28.12	29.12	28.12	
C5D	24.12	25.12	24.12	
C3M	32.12	34.12	33.12	
C4M	30.12	31.12	30.12	
C5M	27.12	29.12	27.12	
C3G	30.12	31.12	30.12	
C4G	27.12	28.12	27.12	
C5G	23.12	24.12	23.12	

Grade		Grade		Grade	
X1L	38.12	X1D	39.12	X5M	45.12
X2L	35.12	X2D	36.12	X3G	40.12
X3L	32.12	X3D	34.12	X3G	45.12
X4L	31.12	X4D	34.12	X4G	45.12
X5L	26.12	X5D	26.12	X4G	45.12
X1F	30.12	X3M	30.12	X5G	45.12
X2F	36.12	X3M	30.12	X5G	45.12
X3F	34.12	X4M	28.12	N1L	18.12
X4F	31.12	X4M	26.12	N1D	18.12
X5F	26.12	X5M	24.12	N1G	18.12

¹The Cooperative Associations through which price support is made available for Virginia fire-cured, type 21, Burley, type 31, and Virginia sun-cured, type 37, are authorized to deduct from the amount paid to

§ 464.1232 1960 Crop—Kentucky-Tennessee Fire-cured Tobacco, Types 22 and 23, advance schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Length 46	Length 45	Length 44	Length 43
A1F	64	64		
A2F	60	60		
A3F	48	50		
A1D	64	64		
A2D	60	60		
A3D	48	50		
B1F	52	54	50	
B2F	49	51	48	
B3F	44	46	44	38
B4F	41	43	41	34
B5F	33	35	33	27
B3VF	42	44	41	33
B4VF	38	40	38	30
B5VF	31	33	31	23
B1D	52	54	50	
B2D	49	51	48	
B3D	47	49	47	40
B4D	42	44	42	35
B5D	32	34	31	25
B3M	42	44	41	35
B4M	37	39	36	28
B5M	28	30	26	20
B3G	43	45	43	34
B4G	38	40	37	28
B5G	28	30	24	18
C1L	52	53	50	
C2L	48	49	47	
C3L	46	47	44	38
C4L	41	42	40	34
C5L	34	35	34	27
C1F	52	53	50	
C2F	48	49	47	
C3F	44	46	44	38
C4F	40	42	40	34
C5F	34	35	34	27
C3VF	40	42	39	33
C4VF	35	37	35	28
C5VF	30	32	30	20
C1D	47	48	45	
C2D	43	45	42	
C3D	39	41	39	34
C4D	33	35	32	28
C5D	26	28	26	22
C3M	40	42	39	35
C4M	33	34	32	28
C5M	28	30	26	20
C3G	36	37	33	29
C4G	30	32	27	24
C5G	20	22	19	17

Grade		Grade		Grade	
X1L	44	X5F	28	X3M	31
X2L	41	X3VF	33	X4M	24
X3L	39	X4VF	28	X5M	18
X4L	33	X5VF	21	X3G	27
X5L	27	X1D	42	X4G	19
X1F	43	X2D	39	X5G	14
X2F	40	X3D	33	N1L	16
X3F	38	X4D	26	N1D	14
X4F	32	X5D	18	N1G	13

growers 12 cents per hundred pounds to apply against overhead costs. Only the original producer is eligible to receive advances. Tobacco graded "U" (unsound), "DAM" (damaged), "No-G" (no grade), N2, N2L, N2R, N2G, N-K, botched, nested, off-type, or decayed will not be accepted. Tobacco of types 22, 23, 35, and 36 graded "W" (doubtful keeping order) will be accepted at advance rates 20 percent below the advance rates otherwise applicable. Tobacco of types 21, 31, and 37 graded "W" (doubtful keeping order) will not be accepted. Types 22 and 23 grades marked with the special factor "OS", and type 35 grades marked with the special factor "BL" shall have an advance rate 20 percent below the advance rate otherwise applicable without such special factor. Types 22, 23, 35, and 36 grades marked with the special factor "BH" shall have an advance rate 20 percent below the advance rate otherwise applicable without such special factor. Types 21, 22, and 23 grades of 47 length and types 35 and 36 grades of 47 length, except grades A1F, A1R, A2F, and A2R, shall have an advance rate 10 percent below the advance rate otherwise applicable for 46 length of each grade.

§ 464.1233 1960 Crop—Burley Tobacco, Type 31, advance schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Ad- vance rate	Grade	Ad- vance rate	Grade	Ad- vance rate
B1F	67.12	M4F	51.12	C3V	66.12
B2F	65.12	M5F	48.12	C4V	63.12
B3F	63.12	M3R	45.12	C5V	57.12
B4F	61.12	M4R	40.12	C3K	60.12
B5F	57.12	M5R	35.12	C4K	58.12
B3VF	60.12	T3F	55.12	C5K	52.12
B4VF	55.12	T4F	50.12	C3R	62.12
B5VF	48.12	T5F	46.12	C4R	60.12
B3K	55.12	T4VF	44.12	C5R	55.12
B4K	50.12	T5VF	40.12	C3M	59.12
B5K	40.12	T3FR	51.12	C4M	56.12
B1FR	61.12	T4FR	46.12	C5M	52.12
B2FR	59.12	T5FR	41.12	C4G	45.12
B3FR	55.12	T3R	42.12	C5G	39.12
B4FR	53.12	T4R	39.12	X1L	72.12
B5FR	49.12	T5R	34.12	X2L	71.12
B1R	54.12	T4VR	34.12	X3L	70.12
B2R	52.12	T5VR	29.12	X4L	67.12
B3R	49.12	T4D	33.12	X5L	63.12
B4R	45.12	T5D	30.12	X1F	71.12
B5R	42.12	T4K	30.12	X2F	70.12
B3VR	42.12	T5K	27.12	X3F	69.12
B4VR	40.12	T4GF	36.12	X4F	66.12
B5VR	36.12	T5GF	31.12	X5F	62.12
B4D	37.12	T4GR	30.12	X4R	62.12
B5D	32.12	T5GR	27.12	X5R	58.12
B3M	55.12	C1L	72.12	X6R	51.12
B4M	50.12	C2L	71.12	X4M	55.12
B5M	40.12	C3L	70.12	X5M	45.12
B3GF	46.12	C4L	69.12	X4G	44.12
B4GF	43.12	C5L	67.12	X5G	37.12
B5GF	38.12	C1F	71.12	N1L	48.12
B3GR	36.12	C2F	70.12	N1F	40.12
B4GR	33.12	C3F	69.12	N1R	27.12
B5GR	30.12	C4F	68.12	N1G	24.12
M3F	56.12	C5F	66.12		

§ 464.1234 1960 Crop—Dark Air-cured Tobacco, Types 35 and 36, advance schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Length 46	Length 45	Length 44
A1F	52	52	
A2F	48	48	45
A3F	43	43	42
A1R	52	52	
A2R	48	48	45
A3R	43	43	42
B1F	48	49	47
B2F	44	45	43
B3F	42	43	41
B4F	40	41	39
B5F	36	37	35
B3VF	40	41	39
B4VF	39	40	38
B5VF	36	37	35
B1R	48	49	47
B2R	44	45	43
B3R	41	42	40
B4R	39	40	38
B5R	36	37	35
B1D	48	49	47
B2D	44	45	43
B3D	41	42	40
B4D	40	41	39
B5D	35	36	34
B3M	40	41	39
B4M	37	38	36
B5M	32	33	31
B3G	39	40	38
B4G	37	38	36
B5G	31	32	30
C1L	45	46	44
C2L	44	45	43
C3L	43	44	42
C4L	40	41	39
C5L	33	34	32
C1F	45	46	44
C2F	44	45	43
C3F	43	44	42
C4F	40	41	39
C5F	33	34	32
C3VF	40	41	39
C4VF	38	39	37
C5VF	31	32	30
C1R	43	44	42
C2R	42	43	41
C3R	40	41	39
C4R	37	38	36
C5R	30	31	29
C3M	40	41	39
C4M	35	36	34
C5M	28	29	27
C4G	36	37	35
C5G	27	28	26

Grade		Grade		Grade	
T3F	37	X1L	41	X3R	36
T4F	33	X2L	39	X4R	30
T5F	25	X3L	37	X5R	27
T3R	37	X4L	33	X3D	36
T4R	33	X5L	31	X4D	30
T5R	25	X1F	41	X5D	23
T3D	37	X2F	39	X3M	33
T4D	33	X3F	37	X4M	28
T5D	25	X4F	34	X5M	24
T3M	36	X5F	30	X3G	33
T4M	31	X3FV	34	X4G	24
T5M	24	X4FV	31	X5G	21
T3G	36	X5FV	26	N1L	23
T4G	31	X1R	41	N1R	21
T5G	24	X2R	38	N1G	20

§ 464.1235 1960 Crop—Virginia Sun-cured Tobacco, Type 37, advance schedule.¹

(Dollars per hundred pounds, farm sales weight)

Grade	Length 45	Length 44	Grade	Length 45	Length 44
A1F	57.12		B3G	39.12	38.12
A2F	54.12	51.12	B4G	38.12	37.12
A3F	51.12	48.12	B5G	34.12	33.12
A1R	57.12		C1L	54.12	49.12
A2R	55.12	52.12	C2L	48.12	44.12
A3R	53.12	49.12	C3L	45.12	42.12
B1F	52.12	50.12	C4L	38.12	37.12
B2F	52.12	49.12	C5L	33.12	32.12
B3F	46.12	43.12	C1F	54.12	49.12
B4F	40.12	39.12	C2F	48.12	44.12
B5F	36.12	35.12	C3F	45.12	41.12
B1R	54.12	51.12	C4F	38.12	37.12
B2R	53.12	50.12	C5F	33.12	32.12
B3R	46.12	43.12	C1R	54.12	49.12
B4R	41.12	40.12	C2R	48.12	44.12
B5R	36.12	35.12	C3R	42.12	40.12
B1D	53.12	50.12	C4R	37.12	36.12
B2D	52.12	49.12	C5R	33.12	32.12
B3D	45.12	43.12	C3M	34.12	33.12
B4D	39.12	38.12	C4M	32.12	31.12
B5D	35.12	34.12	C5M	30.12	29.12
B3M	39.12	38.12	C4G	30.12	29.12
B4M	38.12	37.12	C5G	25.12	24.12
B5M	34.12	33.12			

Grade		Grade		Grade	
T3F	39.12	T5G	28.12	X4R	31.12
T4F	37.12	X1L	38.12	X5R	24.12
T5F	31.12	X2L	35.12	X3D	32.12
T3R	39.12	X3L	32.12	X4D	30.12
T4R	37.12	X4L	31.12	X5D	23.12
T5R	31.12	X5L	25.12	X3M	29.12
T3D	37.12	X1F	39.12	X4M	28.12
T4D	35.12	X2F	36.12	X5M	23.12
T5D	29.12	X3F	33.12	X3G	30.12
T3M	36.12	X4F	31.12	X4G	27.12
T4M	34.12	X5F	24.12	X5G	22.12
T5M	28.12	X1R	39.12	N1L	16.12
T3G	36.12	X2R	36.12	N1R	16.12
T4G	34.12	X3R	32.12	N1G	16.12

Issued this 10th day of November, 1960.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 60-10729; Filed, Nov. 18, 1960;
8:45 a.m.]

[Amdt. 2]

SUBCHAPTER C—EXPORT PROGRAMS

PART 484—FEED GRAINS

Subpart—Revision I of the Feed Grain Export Program

PAYMENT IN KIND (GR-368); TERMS AND CONDITIONS

The Terms and Conditions of Revision I of the Feed Grain Export Program Payment In Kind (GR-368) (24 F.R. 7092) are further amended as follows and a revised Notice to Exporters is provided below:

¹ See footnote 1, page 11031.

§ 484.116 [Amendment]

Section 484.116(h) is amended to read as follows:

(h) Where exportation of the feed grain has been made by anyone or transshipment made or caused by the exporter to one or more of the countries or areas to which a validated license is required by the Bureau of Foreign Commerce, U.S. Department of Commerce, the bills of lading or other pertinent documentary evidence required to be furnished to CCC shall identify the license by number issued by the Bureau of Foreign Commerce, U.S. Department of Commerce, for such movement.

§ 484.123 [Amendment]

Section 484.123(d)(2) is amended to read as follows:

(2) On all other purchases, not less than 5 days prior to delivery of the feed grain by CCC, but in no event later than 30 days following the date of sale, unless CCC consents in writing to a different period.

§ 484.127 [Amendment]

Section 484.127(h) is amended to read as follows:

(h) Where exportation of the feed grain has been made by anyone or transshipment made or caused by the purchaser to one or more of the countries or areas to which a validated license is required by the Bureau of Foreign Commerce, U.S. Department of Commerce, the bills of lading or other pertinent documentary evidence required to be furnished to CCC shall identify the license by number issued by the Bureau of Foreign Commerce, U.S. Department of Commerce, for such movement.

Section 484.150 is amended to read as follows:

§ 484.150 Eligible Country.

"Eligible Country" means any destination outside the continental limits of the United States, excluding Alaska, Canada, Hawaii or Puerto Rico, and also excluding Cuba and any country or area for which an export license is required under regulations issued by the Bureau of Foreign Commerce, U.S. Department of Commerce unless a license for shipment or transshipment thereto has been obtained from such Bureau.

(Secs. 484.101 to 484.156 issued under sec. 5, 62 Stat. 1072; 15 U.S.C. 714c. Interpret or apply sec. 407, 63 Stat. 1051, as amended; sec. 201(a), 70 Stat. 188; 7 U.S.C. 1427, 1851)

Issued this 15th day of November 1960.

WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

APPENDIX

NOTICE TO EXPORTERS

(Revision of October 19, 1960)

The Department of Commerce, Bureau of Foreign Commerce (BFC), pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities (except bandages, gauze, and absorbent cotton with respect to Cuba only) under this program to Cuba, the Soviet Bloc, or Communist-

controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of Foreign Commerce.

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves \$10,000 or more and exportation is to be made to a Group R country or Cuba, obtain from the foreign purchaser a written acknowledgement of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, 15 CFR 371.4 and 371.8) against sales or resales for re-export of sold commodities, or any part thereof, without express Commerce Department authorization, to the Soviet Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to Cuba, and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgement from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by the Secretary of Agriculture or CCC. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirement for obtaining the signed acknowledgement from the foreign purchaser.

For all exportations, one of the destination control statements specified in BFC Regulation (Comprehensive Export Schedule 15 CFR 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of Foreign Commerce or one of the field offices of the Department of Commerce.

The above statement is with respect to the regulations of the Department of Commerce as of October 19, 1960. Exporters should consult the applicable regulations for more detailed information if desired and for any changes that may be made therein subsequent to such date.

[F.R. Doc. 60-10815; Filed, Nov. 18, 1960;
8:50 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 670—CHEMICAL, PETROLEUM, RUBBER, AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

Wage Order Giving Effect to Recommendations

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1062, as amended; 29 U.S.C. 205), the Secretary of Labor by Administrative Order No. 539 (25 F.R. 9182), as amended by Administrative Orders 540 (25 F.R. 9685) and 541 (25 F.R. 9814), appointed and convened Industry Committee No. 50-B and referred to it and duly noticed a hearing on the ques-

tion of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the chemical, petroleum, rubber, and related products industry in Puerto Rico as defined in Administrative Order No. 539 as amended by No. 540, who are engaged in commerce or the production of goods for commerce.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by Section 8 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1064, as amended; 29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (64 Stat. 1263; 3 CFR 1949-1953 Comp., p. 1004), and General Order No. 45-A (15 F.R. 3290) of the Secretary of Labor, the recommendations of the committee are hereby published in this order amending 29 CFR, Part 670, effective Dec. 8, 1960, to read as follows:

Sec.

670.1 Definition.

670.2 Wage rates.

670.3 Notices.

AUTHORITY: §§ 670.1 to 670.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply sec. 6, 52 Stat. 1062, as amended; 29 U.S.C. 206.

§ 670.1 Definition.

(a) The chemical, petroleum, rubber, and related products industry in Puerto Rico to which this part shall apply is defined as the manufacture or packaging of chemicals, drugs, medicines, toilet preparations, cosmetics, and related products; the mining or other extraction or processing of any mineral used in the production of the foregoing; the mining or other extraction of petroleum, coal, or natural gases and the manufacture of products therefrom; the manufacture of all products made chiefly of natural, synthetic, or reclaimed rubber or latex; and the manufacture or partial manufacture of footwear made by vulcanizing the entire article or made by vulcanizing soles to uppers other than leather: *Provided, however*, That the industry shall not include any activity included in the men's and boys' clothing and related products industry, the children's dress and related products industry, the corsets, brassieres, and allied garments industry, the needlework and fabricated textile products industry, the alcoholic beverage and industrial alcohol industry, and the food and related products industry; as defined in the wage orders for those industries, and any activity performed in the capacity of a public utility: and *Provided, further*, That the industry shall not include any of the activities defined and described in 29 CFR 670.2(a).

(b) The products of this industry include, among others: Primary plastic materials such as sheets, rods, tubes, filaments, granules, powders, and liquids; soap and glycerin; cleaning and polishing preparations; paints, varnishes, col-

ors, dyes, inks, putty, and fillers; wood distillation and naval stores; vegetable and animal oils and fats; candles; glue and gelatin; compressed and liquefied gases; insecticides and fungicides; salt; explosives; fireworks and pyrotechnics; coke and coke-oven byproducts; paving mixtures and blocks containing asphalt, creosote, or tar; fuel briquettes; roofing felts and coatings; asphalt tile, rubber tile, and linoleum; rebuilt and retreaded tires and tubes; reclaimed rubber; industrial and mechanical rubber goods; rubber specialties, and sundries.

§ 670.2 Wage rates.

(a) Wages at a rate of not less than \$1 an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees engaged in commerce or in the production of goods for commerce in the agricultural chemicals, fertilizer mixing, hormones, antibiotics, and adrenalin, miscellaneous rubber products, petroleum refining, and pipeline coating tapes classification of the chemical, petroleum, rubber, and related products industry in Puerto Rico, and this classification shall be defined as consisting of the following: The manufacture of fertilizer materials of nitrogen, phosphoric acid, and potash, including the manufacture of sulphuric acid primarily as an integrated part of the production of agricultural chemicals; the manufacture or mixing of commercial fertilizers; the manufacture of hormones, antibiotics, and adrenalin; the manufacture of all rubber products (except those included in the rebuilt and vulcanized tire and miscellaneous chemical products classification, the drugs, medicines, bay oil, aromatic alcohol, toilet preparations, and rubber bucket classification, and the rubber footwear classification); the refining from petroleum of gasoline, fuel, and lubricating oils, and related petroleum refinery products (but excluding products in the miscellaneous petroleum products and industrial inorganic chemicals classification); and pipeline coating tapes made of asphalt, coal tar, and wax.

(b) Wages at a rate of not less than \$1 an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees engaged in commerce or in the production of goods for commerce in the oil well drilling classification of the chemical, petroleum, rubber and related products industry in Puerto Rico, and this classification shall be defined as consisting of all activities connected with the exploration, drilling, and extraction of crude petroleum and natural gases.

(c) Wages at a rate of not less than 95 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees engaged in commerce or in the production of goods for commerce in the miscellaneous chemical and petroleum products classification of the chemical, petroleum, rubber, and related products industry in Puerto Rico, and this classification shall be defined as con-

sisting of the mining, other extraction, or manufacture of all chemical and allied products (except those included in the industrial inorganic chemicals and rebuilt and vulcanized tire classification and the drugs, medicines, bay oil, aromatic alcohol, and toilet preparations classification); and the manufacture of all petroleum and coal products (except those included in the oil well drilling classification).

(d) Wages at a rate of not less than 92 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees engaged in commerce or in the production of goods for commerce in the industrial inorganic chemicals and rebuilt and vulcanized tire classification of the chemical, petroleum, rubber, and related products industry in Puerto Rico, and this classification shall be defined as consisting of the manufacture of industrial inorganic chemicals, including hydrochloric acid and sulphate of potash, and other industrial chemicals, and the production of sulphuric acid when it is not produced as an integral part of the production of agricultural chemicals; and the retreading, recapping, and vulcanizing of tires and tubes (excluding the building and vulcanizing of new tires and tubes).

(e) Wages at a rate of not less than 83 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees engaged in commerce or in the production of goods for commerce in the rubber footwear classification of the chemical, petroleum, rubber, and related products industry in Puerto Rico, and this classification shall be defined as consisting of the manufacture or partial manufacture of footwear made by vulcanizing the entire article or made by vulcanizing soles to uppers other than leather.

(f) Wages at a rate of not less than 77 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees engaged in commerce or in the production of goods for commerce in the drugs, medicine, bay oil, aromatic alcohol, and toilet preparations classification of the chemical, petroleum, rubber, and related products industry in Puerto Rico, and this classification shall be defined as consisting of the manufacture of all drugs, medicines, bay oil, bay rum, aromatic alcohol, perfumes, cosmetics, and other toilet preparations.

(g) Wages of not less than 75 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees engaged in commerce or in the production of goods for commerce in the rubber bucket classification of the chemical, petroleum, rubber, and related products industry in Puerto Rico, and this classification shall be defined as consisting of the manufacture of molded rubber products such as buckets, paper baskets for office and household use, garbage pails

and cans, farmers' tubs, and toilet seats from vulcanized reclaimed and virgin rubber and textiles.

§ 670.3 Notices.

Every employer subject to the provisions of § 670.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 670.2 are working, such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 15th day of November 1960.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 60-10812; Filed, Nov. 18, 1960;
8:49 a.m.]

Title 50—WILDLIFE

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Loxahatchee National Wildlife Management Area, Florida

The following supplemental special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

FLORIDA

LOXAHATCHEE NATIONAL WILDLIFE MANAGEMENT AREA

The special regulation permitting sport fishing on Loxahatchee National Wildlife Management Area, Florida, published November 8, 1960, in the FED-

ERAL REGISTER, Volume 25, Number 218, page 10663, is supplemented to provide for additional regulations under the following paragraphs:

(d) Methods of fishing:

(3) Prohibited Methods: Trot lines, limb lines, nets, or other set tackle will not be permitted.

(e) Description of areas open to fishing:

Fishing is also permitted in the main channels of the canals adjacent to Levee Nos. 7, 39, and 40.

The provisions of this supplemental special regulation are effective through December 31, 1961.

WALTER A. GRESH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

NOVEMBER 14, 1960.

[F.R. Doc. 60-10828; Filed, Nov. 18, 1960;
8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 984]

WALNUTS GROWN IN CALIFORNIA, OREGON AND WASHINGTON

Termination of Notice of Proposed Rule Making

Notice was published in the *FEDERAL REGISTER* on September 8, 1960 (25 F.R. 8656), that there was under consideration a proposal to amend the administrative rules and regulations pertaining to operations under Marketing Agreement No. 105, as amended, and Order No. 84, as amended (7 CFR Part 984), regulating the handling of walnuts grown in California, Oregon and Washington, effective under applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Specifically, the proposal was to amend paragraph (b) of § 984.443 of said administrative rules and regulations by deleting the language "one of the quality grades" and substituting therefor the following: "grade at least U.S. No. 2 as such grade is". Such amendment would be pursuant to § 984.43(b) of the order and would limit the handling of inshell walnuts to U.S. No. 2 or better during periods when the season average grower price of walnuts was not determined to be above parity.

Since it has been determined (25 F.R. 10708) that during the 1960-61 marketing year (which began August 1, 1960) the season average price of walnuts to growers is likely to be above the parity level specified in section 2(1) of the act, rulemaking procedure on the aforesaid proposal is terminated.

Dated: November 16, 1960.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[F.R. Doc. 60-10814; Filed, Nov. 18, 1960;
8:50 a.m.]

[7 CFR Part 1018]

[Docket No. AO-286-A3]

MILK IN SOUTHEASTERN FLORIDA MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Excep- tions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and

procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Southeastern Florida marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., not later than the close of business the 3d day after publication of this decision in the *FEDERAL REGISTER*. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order, were formulated, was conducted at Fort Lauderdale, Florida, on August 11, 1960, pursuant to notice thereof which was issued July 28, 1960 (25 F.R. 7260).

The material issues on the record of the hearing relate to:

1. Revision of the supply-demand adjuster standard utilization percentages for certain months; and

2. The classification and pricing of milk used in selected manufactured products and disposed of by dumping, for livestock feed or for fertilizer.

Issue No. 1 was considered in the recommended decision issued by the Deputy Administrator on October 10, 1960 (25 F.R. 9866). This decision pertains to Issue No. 2.

Findings and conclusions. The following findings and conclusions on Issue No. 2 are based on evidence presented at the hearing and the record thereof:

The classification and pricing provisions of the order should be revised to provide lower prices for milk used to produce specified manufactured milk products and for milk the skim milk portion of which is disposed of by dumping or for animal feed or fertilizer.

Under the present order provisions, there are two classes in the classification system. Class I milk is milk disposed of in the form of specified fluid milk products which are required by the local health department to be made from approved milk. Class II milk is milk used to produce products other than those in Class I milk, in inventories of fluid milk products at the end of the month, in plant shrinkage not in excess of 2 percent of producer milk and in skim milk dumped at the plant. The Class II price is determined on the basis of a butter-powder formula which during the period since the inception of the order has yielded a price of about \$4.50 for 4.0 percent milk.

There are only limited manufacturing facilities available for handling milk in

excess of Class I requirements, primarily used for the manufacture of ice cream and cottage cheese. Handlers in most cases require a full supply of local producer milk for their Class I requirements and, in addition, limited supplies for chocolate drink, cream, half and half and other fluid milk products not included in Class I milk. Producer receipts in excess of Class I requirements and such selected Class II uses would have limited, if any, salable outlets in the market except for the efforts of the local cooperative association whose membership encompasses 96 percent of the total producers on the market. This association has been able to work out arrangements with some handlers whereby such handlers separate the milk which otherwise would have no outlet. The skim milk is repurchased from the handlers by the cooperative association at a price which reflects to such handlers a cost for the cream equal to the butterfat component of the Class II pricing formula. The skim milk is then disposed of by the association, for livestock feed, fertilizer or dumped. During the past ten months very substantial volumes of skim milk have been so disposed of in each month.

Produced milk utilized in Class II milk has increased from an average of 4.5 percent of producer receipts during the period October 1957 through September 1958, to 13.4 percent in the corresponding period of 1959-60. During the period March 1959 through June 1960, only the cream portion of 4.7 percent of total producer receipts was utilized by handlers. While the specific volume of skim milk dumped was not indicated in the record, based on the volume of total producer receipts and through the application of the above percentages, it is apparent that dumpage of skim milk during the sixteen-month period has averaged slightly in excess of 1.5 million pounds.

Home Milk Producers Association, a cooperative association of producers operating a pool plant, whose members are also members of the Independent Dairy Farmers Association, proposed a reduction of approximately 43 cents per hundredweight in the price of milk, the skim milk and butterfat of which are used in cottage cheese. It was their position that the present Class II price has generally deterred the use of producer milk in the production of cottage cheese since the price for skim milk so utilized is not competitive with the cost of cottage cheese curd from alternative sources outside the market. They pointed out that substantial quantities of cottage cheese curd are purchased from sources outside the market and suggested that their proposed lower pricing would permit such skim milk to be manufactured locally at a finished product cost almost identical with the cost of imported cottage cheese curd.

Independent Dairy Farmers Association, on the other hand, took the position that the market was devoid of surplus milk processing facilities and that the volume of surplus milk was insufficient to induce development of full scale manufacturing facilities, regardless of the level of price established for surplus milk. They further took the position that the existing procedure of separation of milk by co-operating handlers and subsequent dumping of the skim milk represented the more economical disposition of surplus milk and resulted in a minimum cost to producers. They pointed out, however, that under the existing market structure only the co-operative members are burdened with the cost of surplus milk disposal and the cooperative association could not return to its members a price comparable to the price returned to nonmember producers. They further suggested that unless some arrangement could be provided under the order whereby the burden of the market's surplus milk was shared equally by all producers, the cooperative association would lose its effectiveness, since individual producers could obtain higher returns by withdrawing from the association and delivering their milk to handlers as nonmembers. This would result in increasingly lower returns to remaining cooperative members and eventually to an unstable and disorganized market which it is the purpose of a Federal order to prevent.

The association proposed that specific provision be made in the order to accommodate the existing procedure for surplus skim milk disposal. They proposed that no value be placed on surplus skim milk and that the reduced returns on milk, the skim milk portion of which was dumped, or disposed of for animal feed or fertilizer, be equally shared through the pool among all producers.

Notwithstanding the association's position, existing Class II prices are not conducive to the utilization of the skim milk from producer milk in ice cream, cottage cheese and other nonfluid milk products. It seems likely that at an appropriate price level handlers would find it economically feasible to use substantially increased quantities of local milk particularly for cottage cheese and ice cream. Such a course of action is not only desirable, but essential to deter the economic waste of skim milk, particularly in light of the local scarcity of condensed skim milk and nonfat dry milk which must be secured from outside sources and from great distances.

It is concluded that in view of the existing market situation some relief must necessarily be afforded whereby the burden of handling the market surplus of fluid skim milk is borne equitably by all producers. Under the existing market situation cooperative members have borne a cost of at least \$1.35 to \$1.40 on each hundredweight of milk, the skim milk portion of which has been returned to the association for disposal. In recognition of this fact, it is proposed that a separate classification be established for milk so disposed of and such milk should be priced at a level reflecting only its butterfat value. This may be

appropriately accomplished by the pricing of milk, the skim milk portion of which is disposed of for animal feed, fertilizer and dumping, on the basis of the existing formula for pricing the butterfat component of Class II milk.

This, however, does not offer a satisfactory solution to the fundamental problem confronting the market. If the above proposed change is made without a corollary change in the price for milk disposed of in other than Class I products, there is little, if any, reason to expect that any additional quantities of surplus milk will find their way into manufactured milk products. It is essential, therefore, that an appropriate level of pricing be provided for milk disposed of in nonfluid milk products which will encourage handlers to utilize the local producer milk. While the reduction in price proposed by the Home Milk Producers Association, might encourage that association to develop facilities for processing cottage cheese, it is not apparent that other handlers would be so induced. It is also not apparent that all of the existing market surplus of skim milk could be disposed of for cottage cheese.

The existing Class II price of approximately \$4.50 is high in relation to surplus milk prices in other Federal order markets in the South and such a level of pricing could not be expected to encourage development of adequate surplus milk disposal facilities. Sizable quantities of cottage cheese curd are processed under the New Orleans, Chattanooga, Tennessee, and Appalachian Federal orders. Starting with such prices and considering the cost of transporting cottage cheese curd from such points to Southeastern Florida, of which we take official notice, a price of about \$3.60 per hundredweight would be a reasonable price which should encourage the development of appropriate processing facilities in this market to obviate the need for further dumping of skim milk. The changes in classification and pricing provisions of the order set forth in the proposed amending order carry out the above conclusions.

The Class III price herein proposed would have averaged \$3.60 in 1958 and 1959, and \$3.54 for January through September 1960 as compared to the Class II price for the same periods of \$4.49, \$4.50 and \$4.44, respectively. The recommended butterfat component of these prices for 100 pounds of 4 percent milk, which is the same for the Class II, Class III and Class IV, averaged \$3.09 in 1958, \$3.15 in 1959 and \$3.09 for January through September 1960. The skim milk component of the Class II price averaged \$1.40 in 1958, \$1.35 in 1959 and January-September 1960, compared to the recommended skim milk component of Class III for the same periods of 50 cents, 46 cents and 46 cents, respectively. There would be no skim milk component for the Class IV price.

No change is proposed in the classification or pricing of fluid milk products presently in Class II milk. Under present pricing producer milk is used almost exclusively in such products and it is unlikely that a lower pricing could en-

courage additional utilization in such products. Further, such products compete directly with the fluid milk products in Class I milk and under normal circumstances as in most markets are classified and priced as Class I milk.

The other changes in order provisions set forth in the amending order are necessary to implement the new four class classification system herein proposed. It is recognized that the effectiveness of the base rating plan contained in the existing order would be enhanced if the excess price now were established at a level below the present order Class II price. Clearly, it was the intent in adapting the pricing provided in the present order that excess milk be priced in the lowest utilization class. However, the price of base and of excess milk was not considered on the record of this hearing and hence no significant change in existing procedure is herein recommended.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to Section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order regulating the handling of milk in the Southeastern Florida marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

§ 1018.22 [Amendment]

1. Delete § 1018.22(j) (1) and substitute therefor the following:

(1) The 5th day of each month, the Class I milk price computed pursuant to § 1018.50(a) and butterfat differential computed pursuant to § 1018.73, both for the current month, and the Class II milk price, Class III milk price and Class IV milk price computed pursuant to § 1018.50 (d), (e), and (f), respectively, and butterfat differential computed pursuant to § 1018.73, all for the preceding month; and

2. Delete § 1018.41 and substitute therefor the following:

§ 1018.41 Classes of utilization.

Subject to the conditions set forth in §§ 1018.42 to 1018.45, the classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat:

(1) Disposed of from the plant in the form of milk, skim milk, frozen milk (whole or concentrated), concentrated milk, reconstituted milk, chocolate milk, fortified skim milk up to the weight of an equal volume of unmodified skim milk, and fortified milk up to the weight of an equal volume of unmodified milk of the same butterfat test, and

(2) Not specifically accounted for as Class II milk, Class III milk or Class IV milk;

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat: (1) Used to produce acidophilus milk, buttermilk, chocolate drink, half and half, light cream, heavy cream and sour cream, and (2) Contained in inventories in the form of milk products designated as Class I milk pursuant to paragraph (a) of this section on hand at the end of each month and accounting period:

(c) *Class III milk.* Class III milk shall be all skim milk and butterfat:

(1) Used to produce any product other than those specified in paragraphs (a) and (b) of this section;

(2) That portion of fortified milk or skim milk not classified as Class I milk pursuant to paragraph (a) (1) of this section, and

(3) In total shrinkage or skim milk and butterfat, respectively, such shrinkage to be prorated to producer milk and other source milk received in the form of fluid milk or skim milk: *Provided*, That Class III classification of shrinkage prorated to skim milk and butterfat, respectively, in producer milk shall not exceed 2 percent of skim milk and butterfat in producer milk; and

(d) *Class IV milk.* Class IV milk shall be all milk the skim milk portion of which is:

(1) Disposed of for fertilizer or livestock feed, and

(2) Dumped after such prior notification as the market administrator may require.

3. Delete § 1018.42 and substitute therefor the following:

§ 1018.42 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat to be classified pursuant to this order shall be classified as Class I milk unless the handler who first receives such skim milk and butterfat establishes to the satisfaction of the market administrator that such skim milk and butterfat should be classified otherwise.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

4. Delete § 1018.43 and substitute therefor the following:

§ 1018.43 Transfers.

(a) Skim milk and butterfat transferred to a pool plant in the form of milk products designated as Class I milk pursuant to § 1018.41(a) shall be classified so as to result in the maximum assignment of the producer milk of both handlers to Class I milk within the accounting period used by each handler, and skim milk and butterfat so transferred shall be classified as Class I milk unless utilization in another class is reported to the market administrator by the operators of both plants pursuant to § 1018.30: *Provided*, That the skim milk or butterfat so assigned, to a particular class shall be limited to the amount thereof remaining in such class in the transferee plant after the subtraction of other source milk and in the case of Class II milk, beginning inventory pursuant to § 1018.45;

(b) Skim milk and butterfat transferred in bulk form as milk or skim milk from a pool plant to a nonpool plant, or diverted from a producer's farm to a nonpool plant for the account of a handler shall be classified as Class I milk unless the conditions pursuant to subparagraph (1) and (2) of this paragraph are met and classification pursuant to subparagraph (3) or (4) of this paragraph is claimed by the transferring or diverting handler;

(1) The nonpool plant is located less than 500 miles from the location of the main U.S. Post Office in Boca Raton, Florida, by the shortest, hard-surfaced highway distance as determined by the market administrator or is a plant fully regulated under another order issued pursuant to the Act;

(2) The operator of the nonpool plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification; and

(3) The skim milk and butterfat in the milk transferred or diverted is classified as Class I milk in an amount not less than the pro rata assignment of such skim milk and butterfat and skim milk and butterfat received at the nonpool plant in milk classified and priced as Class I milk under another Federal order, such pro rata assignment to be to skim milk and butterfat in route disposition from the nonpool plant in forms designated as Class I milk in § 1018.41(a) after subtraction from such disposition of the quantities of skim milk and butterfat, respectively, in milk received at the nonpool plant from dairy farmers whom the market administrator determines constitute the regular approved dairy-farmer supply for the nonpool plants, or

(4) If the nonpool plant to which milk is transferred or diverted is a plant fully regulated under another order issued pursuant to the Act, the milk transferred or diverted shall be classified as Class I milk in the same amount as it is classified in the highest price class under such other order, and the remainder shall be Class III milk,

(c) Skim milk and butterfat transferred in bulk form as cream to a nonpool plant shall be classified as Class I milk unless:

(1) The transferring handler claims classification as Class II milk;

(2) The handler gives the market administrator sufficient notice to allow him to verify the shipment;

(3) The operator of the nonpool plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification; and

(4) Not less than an equivalent amount of skim milk and butterfat was actually utilized in the nonpool plant in the use indicated in such report: *Provided*, That if it is found that an equivalent amount of skim milk and butterfat was not actually used in such plant during the month in such indicated use, the quantity transferred in excess of such actual use shall be classified as Class I milk.

5. Delete § 1018.44 and substitute therefor the following:

§ 1018.44 Computation of skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and other obvious errors, the reports submitted by each handler pursuant to § 1018.30(a) and compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II milk, Class III milk and Class IV milk at all of the pool plants of such handler: *Provided*, That the skim milk contained in any product utilized, produced or disposed of by the handler during the month shall be considered to be an amount equivalent to the nonfat milk solids contained in such product, plus all of the water originally associated with such solids.

6. Delete § 1018.45 and substitute therefor the following:

§ 1018.45 Allocation of skim milk and butterfat classified.

(a) For each month or other accounting period as described in paragraph (d) of this section, the pounds of skim milk remaining in each class, after making the following computations with respect to the pool plants of each handler, shall be the pounds of skim milk, in such class allocated to the producer milk of such handler:

(1) Subtract from the total pounds of skim milk in Class III milk the shrinkage of skim milk in producer milk classified as Class III milk pursuant to § 1018.41(c) (3);

(2) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class IV milk, the pounds of skim milk in other source milk not priced as Class I milk under another Federal order and received from a plant or dairy farmers located outside the State of Florida;

(3) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class IV milk, the pounds of skim milk in other source milk not priced as Class I milk under another Federal order and received from a plant or dairy farmers located in the State of Florida;

(4) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class IV milk, the pounds of skim milk in other source milk which is priced and pooled as Class I milk under another order except any quantities from a nonpool plant equal to or less than the skim milk in milk or skim milk disposed of from such nonpool plant and not priced and pooled under such other order;

(5) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk contained in inventory of milk products in the form of products designated as Class I milk pursuant to § 1018.41(a) on hand at the beginning of the month or other accounting period: *Provided*, That if the pounds of skim milk in such inventory exceed the remaining pounds of skim milk in Class II milk the balance shall be subtracted from the pounds of skim milk remaining in Class I milk;

(6) Subtract the pounds of skim milk in milk products in the form of products designated as Class I milk pursuant to § 1018.41(a) received from pool plants of other handlers from the pounds of skim milk remaining in the class to which assigned pursuant to § 1018.43(a);

(7) Add to the pounds of skim milk remaining in Class III milk the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; and

(8) If the pounds of skim milk remaining in all classes exceed the pounds of skim milk in milk received from producers, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with Class IV milk. Any amount so subtracted shall be called "overage".

(b) Determine the pounds of butterfat in each class to be allocated to producer milk in the manner prescribed in

paragraph (a) of this section for determining the allocation of skim milk to producer milk;

(c) Add the pounds of skim milk and the pounds of butterfat in each class calculated pursuant to paragraphs (a) and (b) of this section and determine the percentage of butterfat in the producer milk allocated to each class; and

(d) A handler may account for receipts of milk, utilization of milk and classification of milk, at his plant, for periods within a month if he notifies the market administrator in writing of his intention to use such accounting period not later than the end of every accounting period.

§ 1018.50 [Amendment]

7. Delete § 1018.50(e) and substitute therefor the following:

(d) *Class II milk price.* The Class II price per hundredweight shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of the paragraph:

(1) Multiply the Chicago butter price by 1.25, add 4 cents and multiply the result by 4; and

(2) Add 2.5 cents to the Chicago powder price and multiply the result by 8.5.

(e) *Class III milk price.* The Class III price per hundredweight shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph:

(1) Multiply the Chicago butter price by 1.25, add 4 cents and multiply the result by 4; and

(2) Deduct 8 cents from the Chicago powder price and multiply the result by 8.5.

(f) *Class IV milk price.* The Class IV price per hundredweight shall be computed as follows: Multiply the Chicago butter price by 1.25, add 4 cents and multiply the result by 4.

§ 1018.51 [Amendment]

8. Delete the proviso of § 1018.51 and substitute therefor the following:

Provided, That for the purpose of calculating such location differentials, milk in the form of any milk product designated as Class I milk pursuant to § 1018.41(a) transferred between pool plants shall be assigned to any remainder of Class II milk, Class III milk, and Class IV milk in the plant to which transferred after making the calculations prescribed in § 1018.45(a) (1) through (5), and the comparable steps in paragraph (b) of § 1018.45 for such plant, such assignment to the transferring plants to be made in sequence according to the location differential applicable at each plant, beginning with the plant having the largest differential.

§ 1018.70 [Amendment]

9. In § 1018.70(b) delete the word "either" and substitute the word "each".

§ 1018.72 [Amendment]

10. Delete § 1018.72 (a), (b), and (c) and substitute therefor the following:

(a) The uniform price for excess milk shall be the Class II price computed

pursuant to § 1018.50(d) rounded to the nearest full cent;

(b) Multiply the hundredweight quantity of excess milk for all handlers whose receipts are included in the computation pursuant to § 1018.71 by the excess price;

(c) Subtract the value of excess milk obtained in paragraph (b) of this section from the aggregate value of producer milk computed pursuant to § 1018.71;

Issued at Washington, D.C., this 16th day of November 1960.

F. R. BURKE,
Acting Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 60-10813; Filed, Nov. 18, 1960;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[46 CFR Part 298]

FEDERAL SHIP MORTGAGE AND LOAN INSURANCE

Extension of Time

Notice of rule making in the above matter appeared in the FEDERAL REGISTER issue of October 20, 1960 (25 F.R. 10033).

Notice is hereby given that the date of November 21, 1960 by which persons were permitted to submit written data, views, or arguments, for consideration, is hereby changed to December 19, 1960.

Dated: November 17, 1960.

THOMAS LISI,
Secretary.

[F.R. Doc. 60-10844; Filed, Nov. 18, 1960;
8:52 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Docket No. 11769]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Supplemental Notice of Proposed Rule Making

NOVEMBER 16, 1960.

The Board, in 25 F.R. 8784, and by circulation of a Notice of Proposed Rule Making dated September 8, 1960, gave notice that it had under consideration amendments to Part 241 of the Economic Regulations concerned with the establishment of standards for self-insurance reserves; separation of traffic and capacity statistics as between "domestic", "territorial" and "international" operations; and other accounting and reporting matters.

By Supplemental Notice of Proposed Rule Making dated October 7, 1960, 25 F.R. 9772, the time for comments on this rule-making proposal was extended to November 10, 1960.

Comments received on this rule-making proposal contain requests for an informal meeting between interested persons and the Board's staff to discuss the various aspects of the proposed amendments. The undersigned, acting under authority duly delegated to him by the Board, finds that good cause has been shown and that it will be in the public interest to grant the request for an informal meeting.

Accordingly, notice is hereby given that on Tuesday, November 22, 1960, at 10:00 o'clock e.s.t., at the Board's offices, Room 610, 1825 Connecticut Avenue NW., Washington, D.C., an informal meeting will be held between the staff of the Board and interested persons to discuss the proposals in the referenced Notice of Proposed Rule Making. Supplemental comments on subject matters discussed at the meeting by persons who participated in the meeting may be filed, provided they are actually received at the Board's office not later than 9:00 a.m. on Monday, November 28, 1960. Thereafter, such comments will be available for examination by interested persons in the Docket Section of the Board, Room 711, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C. Observations made orally at the meeting which interested persons desire to bring to the attention of the Board should be repeated in writing in the supplemental comments.

(Sec. 204(a) of the Federal Aviation Act of 1958, 72 Stat. 1324; 49 U.S.C. 1324)

[SEAL]

ROSS I. NEWMANN,
Associate General Counsel,
Rules and Legislation.

[F.R. Doc. 60-10850; Filed, Nov. 18, 1960;
8:52 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600, 608]

[Airspace Docket No. 60-FW-83]

RESTRICTED AREAS AND FEDERAL AIRWAYS

Designation of Restricted Area/Military Climb Corridor; Modification of Federal Airways

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 608.51, 600.6015, 600.6076, and 600.6180 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration a proposal by the Department of the Air Force to designate a Restricted Area/Military Climb Corridor at Ellington Air Force Base, Houston, Tex. The military climb corridor, designated as a restricted area, would be used by high-speed, high-rate-of-climb Century series air defense aircraft while departing from the airbase on active air defense missions. The restricted area would provide protection for high-speed air defense aircraft and other users of the airspace during the

initial climb phase of the air defense mission. The proposed Restricted Area/Military Climb Corridor would be centered on the Ellington AFB TACAN 223° True radial and would extend from 8 statute miles southwest to 35 statute miles southwest of the TACAN, having a width at the beginning of 2.5 statute miles and expanding uniformly to a width of 5 statute miles at the outer extremity. The lower altitude limits would extend, in graduated steps, from 2,000 feet MSL to 19,000 feet MSL. The upper altitude limits would extend from 15,000 feet MSL to 27,000 feet MSL. Time of use would be continuous. The controlling agency would be the Federal Aviation Agency, Houston Approach Control. The controlling agency would authorize aircraft to operate within the Restricted Area/Military Climb Corridor when not in use for active air defense missions.

VOR Federal airways No. 15 and 76 coincide to a minor degree with the proposed Restricted Area/Military Climb Corridor and VOR Federal airway No. 180 traverses the proposed climb corridor. Accordingly, it is proposed to reduce the width of Victor 15 and 76 by excluding the portions of these airways which would coincide with the proposed restricted area. In addition, it is proposed to require prior approval from the controlling agency for use of that portion of Victor 180 which would coincide with the proposed military climb corridor.

If these actions are taken, the Houston, Tex. (Ellington AFB), Restricted Area/Military Climb Corridor (R-10) would be designated as follows:

Description. That area centered on the 223° True radial of the Ellington AFB TACAN (latitude 29°36'24" N., longitude 95°09'31" W.), beginning 8 statute miles southwest of the TACAN and extending to 35 statute miles southwest of the TACAN, having a width of 2.5 statute miles at the beginning, and expanding uniformly to a width of 5 statute miles at the outer extremity.

Designated Altitude

2,000' MSL to 15,000' MSL from 8 statute miles southwest of the TACAN to 9 statute miles southwest of the TACAN.
2,000' MSL to 27,000' MSL from 9 to 13 statute miles southwest of the TACAN.
6,000' MSL to 27,000' MSL from 13 to 18 statute miles southwest of the TACAN.
10,000' MSL to 27,000' MSL from 18 to 23 statute miles southwest of the TACAN.
15,000' MSL to 27,000' MSL from 23 to 28 statute miles southwest of the TACAN.
19,000' MSL to 27,000' MSL from 28 to 35 statute miles southwest of the TACAN.

Time of Use. Continuous.

Controlling Agency. Federal Aviation Agency, Houston Approach Control.

The portion of VOR Federal airway No. 180 which would coincide with the Houston (Ellington AFB) Restricted Area/Military Climb Corridor would be used only after obtaining prior approval from the controlling agency, and the portions of VOR Federal airways No. 15 and 76 which would coincide with the proposed Restricted Area/Military Climb Corridor would be excluded.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air

Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on November 15, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-10786; Filed, Nov. 18, 1960;
8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-KC-85]

CONTROL ZONES

Modification

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2056 of the regulations of the Administrator, the substance of which is stated below.

The Kansas City, Mo., control zone is presently designated within a 5-mile radius of the Kansas City Municipal Airport, within 2 miles either side of the north course of the Kansas City radio range extending from the radio range station to a point 10 miles north, and within 2 miles either side of a line bearing 013° True from the airport extending through the Kansas City ILS outer marker compass locator to a point 5 miles north of the ILS outer marker compass locator.

The Federal Aviation Agency has under consideration modification of the Kansas City control zone as follows:

1. Revoke the control zone extension based on the north course of the Kansas City radio range. This extension would no longer be required as the prescribed instrument approach procedures based on the north course of the Kansas City radio range are to be cancelled.

2. Modify the control zone extension based on the 013° True bearing from the

Kansas City Municipal Airport by revoking the portion north of the ILS outer marker, and realigning the remaining portion to base it on the ILS localizer north course. The prescribed instrument approach procedures based on the ILS have been revised to eliminate the requirement for the control zone extension north of the outer marker. In addition, the realignment of the remaining portion of this control zone extension on the ILS approach course would provide a more precise and more easily understood description.

3. Designate a control zone extension within 2 miles either side of the 185° True radial of the Kansas City VORTAC extending from the 5-mile radius zone to the VORTAC. This extension would provide protection for aircraft executing prescribed instrument approaches to Fairfax Airport utilizing the Kansas City VORTAC.

If this action is taken, the Kansas City, Mo., control zone would be designated within a 5-mile radius of the Kansas City Municipal Airport, (latitude

39°07'20" N., longitude 94°35'30" W.), within 2 miles either side of the ILS localizer north course, extending from the 5-mile radius zone to the ILS outer marker and within 2 miles either side of the 185° True radial of the Kansas City VORTAC, extending from the 5-mile radius zone to the VORTAC.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency,

Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C. on November 15, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-10785; Filed, Nov. 18, 1960; 8:45 a.m.]

Notices

CIVIL AERONAUTICS BOARD

[Docket 11894]

COMPANIA MEXICANA DE AVIACION, S.A.

Notice of Prehearing Conference

In the matter of an application for amendment of its foreign air carrier permit to authorize service on the route Mexico City-Dallas, Fort Worth, Chicago via intermediate points in Mexico.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on November 22, 1960, at 2:00 p.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Ferdinand D. Moran.

Dated at Washington, D.C., November 16, 1960.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-10810; Filed, Nov. 18, 1960;
8:49 a.m.]

[Docket 11885]

RUTAS AEREAS DE COLOMBIA, LIMITADA

Notice of Prehearing Conference

In the matter of the application of Rutas Aereas de Colombia, Limitada, in Docket 11885, for an amendment of its foreign air carrier permit to permit operations between Colombia and Miami and New York.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on November 28, 1960, at 10:00 a.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Ferdinand D. Moran.

Dated at Washington, D.C., November 16, 1960.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-10811; Filed, Nov. 18, 1960;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-90, 50-103]

AEROJET-GENERAL NUCLEONICS

Notice of Issuance of Amendment to Construction Permit No. CPRR-24 and of Reissuance of Construction Permit No. CPRR-27

Please take notice that the Atomic Energy Commission has issued Amendment No. 3 to Construction Permit No.

CPRR-24 and has reissued Construction Permit No. CPRR-27 as Construction Permit No. CPRR-27, Amendment No. 6.

Amendment No. 3 to Construction Permit No. CPRR-24, as requested by Aerojet-General Nucleonics, revokes the authorization for construction of reactors Model AGN-201, Serial Nos. 131-140, and renews the authorization for construction of reactors Model AGN-201, Serial Nos. 126-130, with a latest completion date of March 1, 1962.

Amendment No. 6 to Construction Permit No. CPRR-27 reissues the permit in its entirety. The amendment, as requested by Aerojet-General Nucleonics, (1) deletes the authorization for construction of reactors Model AGN-211, Serial Nos. 104 and 105, for which the latest dates for completion of construction have expired, (2) deletes the amendments to the permit which pertained solely to those reactors, and (3) renews authorization for construction of reactors Model AGN-211, Serial Nos. 106-110, with a latest completion date of September 1, 1962.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on these matters upon receipt of a request therefor from the permittee on an intervenor within thirty days after this notice is filed with the Office of the Federal Register. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room, 1717 H Street, Washington, D.C. For further details see (1) the application for amendment submitted by Aerojet-General Nucleonics dated October 11, 1960, (2) Amendment No. 3 to Construction Permit No. CPRR-24, and (3) Amendment No. 6 to Construction Permit No. CPRR-27, all on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 14th day of November 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of
Licensing and Regulation.

[F.R. Doc. 60-10807; Filed, Nov. 18, 1960;
8:48 a.m.]

[Docket No. 50-83]

UNIVERSITY OF FLORIDA

Notice of Amendment to Facility License No. R-56

Please take notice that the Atomic Energy Commission has issued to Uni-

versity of Florida, Amendment No. 1, set forth below, to Facility License No. R-56, as requested by an application amendment affirmed October 3, 1960. Amendment No. 1 revises paragraph 3. B. in License No. R-56 in order to permit possession and use of up to 3.800 kilograms of uranium-235 contained in a set of fuel elements additional to that previously possessed under the license.

The Commission has found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since possession and use of the additional fuel material do not present any change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operation of the facility.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or an intervenor within 30 days after the issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. For further details see the application for license amendment submitted by University of Florida on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 14th day of November 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of
Licensing and Regulation.

[License No. R-56 Amdt. 1]

FACILITY LICENSE AMENDMENT

Paragraph 3.B. of Facility License No. R-56 is hereby amended to read as follows:

3.B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material", to possess and use up to 7.802 kilograms of contained uranium 235 in connection with operation of the reactor.

Date of issuance: November 14, 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of
Licensing and Regulation.

[F.R. Doc. 60-10808; Filed, Nov. 18, 1960;
8:49 a.m.]

[Docket Nos. 50-172, 50-173, 50-176, 50-177]

U.S. AIR FORCE AND LOCKHEED AIRCRAFT CORP.

Notice of Applications for Utilization Facility Licenses

Please take notice that the United States Air Force and the Lockheed Aircraft Corporation, under section 104c of the Atomic Energy Act of 1954, as amended, have submitted applications for licenses to possess and to operate, respectively, the following facilities, which are located at the Georgia Nuclear Laboratories, Air Force Plant No. 67 in Dawson County, Georgia:

1. Ten Megawatt Radiation Effects Nuclear Reactor
2. Eighty Watt Critical Experiment Nuclear Reactor

Air Force Plant No. 67, which includes the ten megawatt and eighty watt nuclear reactors, is presently being managed and operated by the Lockheed Aircraft Corporation for the United States Air Force pursuant to the provisions of section 91b of the Atomic Energy Act of 1954, as amended, and therefore facility licenses have not heretofore been required.

Since exclusive utilization of the reactor facilities is not required for military purposes, the Air Force has agreed to permit Lockheed to operate the facilities under contracts with other U.S. Government agencies and commercial and educational institutions, provided appropriate licenses are obtained from the AEC.

Effective upon the issuance of the licenses to Lockheed, the Air Force will transfer to Lockheed and Lockheed will accept exclusive responsibility to safely manage, operate and control the facilities. However, the Air Force will retain ownership of the facilities.

A copy of the application is available for public inspection in the AEC Public Document Room, located at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 15th day of November, 1960.

For the Atomic Energy Commission

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[F.R. Doc. 60-10784; Filed, Nov. 18, 1960;
8:45 a.m.]

[Docket No. FP-1]

ELK RIVER POWER DEMONSTRATION REACTOR PROGRAM PROJECT

Notice of Hearing on Operation of Nuclear Facility

On March 12, 1959 (AEC Public Announcement B-42), the Atomic Energy Commission announced that with respect to certain Commission-owned reactor projects interested persons will be granted an opportunity to participate in the consideration of the safety aspects of such reactor projects in accordance with procedures which would parallel those

observed in licensing proceedings. The reactor projects to which this policy applies are Commission-owned demonstration reactor projects which are not located at Commission installations but which would be operated as an integral part of the power-generation facilities of operating utility systems. This policy applies to the reactor projects resulting from the Commission's second invitation under the Power Demonstration Reactor Program including the reactor for the Rural Cooperative Power Association located at Elk River, Minnesota.

Accordingly, and pursuant to section 161(c) of the Atomic Energy Act, as amended, notice is hereby given that a hearing will be held at 10:30 a.m. on December 20, 1960, in a courtroom to be assigned in the U.S. District Court Building, St. Paul, Minnesota. The record of prior proceedings in this matter is available for public inspection in the AEC Public Document Room, 1717 H Street NW., Washington, D.C.

The issues to be considered at the hearing will be the following:

1. Whether the technical information omitted from and required to complete the Preliminary Hazards Report filed by the Atomic Energy Division of Allis-Chalmers Manufacturing Company has been supplied;
2. Whether the nuclear reactor authorized for construction by the Commission has been constructed and will operate in conformity with the design set forth in the Final Hazards Report, as amended;
3. Whether the processes to be performed, the operating procedures, the nuclear reactor and equipment, the use of the reactor, and technical specifications, collectively, provide reasonable assurance that the health and safety of the public will not be endangered by the proposed operation of the facility;
4. Whether the Allis-Chalmers Manufacturing Company and the Rural Cooperative Power Association are technically qualified to operate the facility under the contractual safety controls of the Commission;
5. Whether issuance of authorization to operate the facility under the terms and conditions proposed will be inimical to the health and safety of the public;

Notice is hereby given that the Final Hazards Report submitted by Allis-Chalmers Manufacturing Company and the report of the AEC's Advisory Committee on Reactor Safeguards in this matter are available for public inspection at the AEC's Public Document Room. Copies of the latter may be obtained by request to the Director, Division of Licensing and Regulation, U.S. Atomic Energy Commission, Washington 25, D.C.

Petitions for leave to intervene must be received in the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or in the AEC Public Document Room, 1717 H Street NW., Washington 25, D.C., not later than thirty days after publication of this notice in the FEDERAL REGISTER or in the event of a postponement of the hearing date specified above at such time as the Presiding Officer may provide.

Answers to this notice pursuant to § 2.736 of the Commission's rules of practice shall be filed on or before December 7, 1960 by Allis-Chalmers Manufacturing Company and by the Rural Cooperative Power Association.

Papers required to be filed with the AEC in this proceeding shall be filed by mailing to the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or at the AEC Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the Presiding Officer, parties shall file twenty copies of each such paper with the AEC and where service of papers is required on other parties shall file five copies of each.

The provisions of Subpart G of the Commission's rules of practice, 10 CFR Part 2, shall apply to the same extent as in a proceeding concerning licensing and licenses.

The hearing will be conducted by a presiding officer to be designated by the Chief Hearing Examiner.

Dated at Germantown, Md., this 17th day of November 1960.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[F.R. Doc. 60-10856; Filed, Nov. 18, 1960;
8:53 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13605-13607; FCC 60M-1940]

ABILENE RADIO AND TELEVISION CO. ET AL.

Order Scheduling Prehearing Conference

In re applications of Abilene Radio and Television Company, San Angelo, Texas, Docket No. 13605, File No. BPCT-2639; E. C. Gunter, San Angelo, Texas, Docket No. 13606, File No. BPCT-2663; Dornita Investment Corp., San Angelo, Texas, Docket No. 13607, File No. BPCT-2714; for construction permits for new television broadcast stations (Channel 3).

The Hearing Examiner having under consideration a motion filed on November 7, 1960, by E. C. Gunter, requesting that the date for exchanging exhibits in this proceeding be extended from November 14 to December 5, 1960, and that the further prehearing conference presently scheduled for November 21 be continued to December 12, 1960; and

It appearing, that the hearing has been previously continued to a date to be fixed at the further prehearing conference and the requested continuance will not adversely affect any party;

It further appearing, that all other parties have informally agreed to a grant of the instant motion, and good cause has been shown for the grant thereof;

It is, therefore, ordered, This 14th day of November 1960, that the motion be and it is hereby granted, and the procedural dates revised as follows:

Exchange of exhibits, December 5, 1960.
Further prehearing conference, December 12, 1960.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10816; Filed, Nov. 18, 1960;
8:50 a.m.]

[Docket Nos. 13822-13823; FCC 60M-1945]

BI-STATES CO. (KHOL-TV) AND TOPEKA BROADCASTING ASSN., INC. (WIBW-TV)

Order Scheduling Prehearing Conference

In re applications of Bi-States Company (KHOL-TV), Kearney, Nebraska, Docket No. 13822, File No. BPCT-2718; Topeka Broadcasting Association, Inc. (WIBW-TV), Topeka, Kansas, Docket No. 13823, File No. BPCT-2743; for construction permits for new transmitter sites.

On the Examiner's own motion: *It is ordered,* This 14th day of November 1960, that a prehearing conference in the above-entitled matter will be held in the offices of the Commission, Washington, D.C., on November 23, 1960, at 10:00 a.m.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10817; Filed, Nov. 18, 1960;
8:50 a.m.]

[Docket No. 13594; FCC 60M-1939]

COLLEGE PARK BROADCASTING CO., INC.

Order Continuing Hearing

In re matter of assignment of call letters WEAS to College Park Broadcasting Company, Inc., Docket No. 13594, for its standard broadcast station at College Park, Georgia.

At the joint oral request of College Park Broadcasting Company, Inc., and WEAS, Inc., and without objection from counsel for the Broadcast Bureau, the only other party to the proceeding;

It is ordered, This 14th day of November 1960, that hearing in the above-entitled matter now scheduled for November 14, 1960, is continued to December 14, 1960.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10818; Filed, Nov. 18, 1960;
8:50 a.m.]

[Docket Nos. 13692-13693; FCC 60M-1943]

EMPIRE COMMUNICATIONS CO. AND TELEPHONE ANSWERING SERVICE

Statement and Order Governing Hearing

In re applications of Leslie F. Smith, Jr., d/b as Empire Communications Company, Docket No. 13692, File Nos. 2233-C2-P-59, 2234-C1-P-59; for construction permits to establish a new two-way communication service in the Domestic Public Land Mobile Radio Service at Salem, Oregon and Vincent W. Elliott, d/b as Telephone Answering Service, Docket No. 13693, File Nos. 2639-C2-P-59, 1530-C1-P/L-60; for construction permits to establish a new two-way communication service in the Domestic Public Land Mobile Radio Service at Salem, Oregon.

Pursuant to a notice issued by the Hearing Examiner a prehearing conference was held on November 14, 1960. At this conference certain stipulations were agreed to as shown in the transcript and a schedule was established. It is contemplated that portions of the case and especially those dealing with the first three issues will be largely reduced to writing in the form of exhibits, although the applicants will not be prevented from producing oral testimony at the hearing in support of their direct cases. The exhibits, however, will be exchanged among the parties on November 28, 1960. If any party shall desire additional information the request for such information must be made not later than December 5. The hearing will commence on December 13 at 10:00 a.m. in Washington, D.C.

Therefore it is ordered, This 14th day of November 1960, that the foregoing schedule is adopted and the hearing will commence on December 13, 1960, at 10:00 a.m.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10819; Filed, Nov. 18, 1960;
8:50 a.m.]

[Docket No. 13850; FCC 60M-1949]

MAINE RADIO AND TELEVISION CO. (WCSH-TV)

Order Scheduling Hearing

In re application of Maine Radio and Television Company (WCSH-TV), Portland, Maine, Docket No. 13850, File No. BPCT-2703; for construction permit (Channel 6).

It is ordered, This 14th day of November 1960, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 21, 1960, in Washington, D.C.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10820; Filed, Nov. 18, 1960;
8:50 a.m.]

[Docket Nos. 13848-13849; FCC 60M-1948]

MARTIN THEATRES OF GEORGIA, INC. (WTVM) AND COLUMBUS BROADCASTING CO.

Order Scheduling Hearing

In re applications of Martin Theatres of Georgia, Inc. (WTVM), Columbus, Georgia, Docket No. 13848, File No. BMPCT-5490; Columbus Broadcasting Company, Inc. (WRBL-TV), Columbus, Georgia, Docket No. 13849, File No. BMPCT-5491; for modification of construction permits.

It is ordered, This 14th day of November 1960, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 20, 1960, in Washington, D.C.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10821; Filed, Nov. 18, 1960;
8:50 a.m.]

[Docket No. 13010 etc.; FCC 60M-1932]

MID-AMERICA BROADCASTING SYSTEM, INC., ET AL.

Order Scheduling Prehearing Conference

In re Application of Mid-America Broadcasting System, Inc., Highland Park, Illinois et al., Docket Nos. 13010, 13014, 13016-13053, 13058, 13060, 13061, 13641-13648, File No. BP-11689; for construction permits.

It is ordered, This 10th day of November 1960, that a further prehearing conference of Group II will be held jointly with the conference for Group I heretofore scheduled for Tuesday, November 22, 1960, 10 a.m., in the offices of the Commission, Washington, D.C.

Released: November 14, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10822; Filed, Nov. 18, 1960;
8:51 a.m.]

[Docket Nos. 13657-13658; FCC 60M-1935]

SKYLINE BROADCASTERS, INC., AND EARL MCKINLEY TRABUE

Order Continuing Hearing

In re applications of Skyline Broadcasters, Inc., Klamath Falls, Oregon, Docket No. 13657, File No. BP-12509; Earl McKinley Trabue, Myrtle Creek, Oregon, Docket No. 13658, File No. BP-13596; for construction permits.

The Acting Chief Hearing Examiner, in the absence of the Hearing Examiner, having under consideration "Petition For Continuance Of Hearing And For Further Prehearing Conference", filed November 8, 1960, on behalf of Skyline Broadcasters, Inc.;

It appearing, that good cause exists why said petition should be granted and

there is no opposition to said petition, further prehearing conference and the hearing now scheduled for November 14, 1960, should be continued to a date to be hereinafter determined by the Hearing Examiner;

Accordingly, it is ordered, This 10th day of November 1960, that the petition is granted and the hearing now scheduled for November 14, be, and further prehearing conference and hearing are continued to a date to be hereinafter determined by the Hearing Examiner.

Released: November 14, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10823; Filed, Nov. 18, 1960;
8:51 a.m.]

[Docket Nos. 13844-13846; FCC 60M-1947]

WCYN RADIO, INC. (WCYN) ET AL.

Order Scheduling Hearing

In re applications of WCYN Radio, Inc. (WCYN), Cynthia, Kentucky, Docket No. 13844; File No. BP-12717; Paul F. Braden (WPAY), Portsmouth, Ohio, Docket No. 13845, File No. BP-12910; Stokley Bowling, C. A. Diecks, H. F. Skidmore, Horace E. Tabb and J. W. Hodges, d/b as Elizabethtown Broadcasting Company (WIEL), Elizabethtown, Kentucky, Docket No. 13846, File No. BP-13766; for construction permits.

It is ordered, This 14th day of November 1960, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 21, 1960, in Washington, D.C.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10824; Filed, Nov. 18, 1960;
8:51 a.m.]

[Docket Nos. 13828-13829; FCC 60M-1946]

WALTERBORO RADIOCASTING CO. (WALD) AND ALTAMAHA BROADCASTING CO. (WBGR)

Order Scheduling Prehearing Conference

In re applications of Walterboro Radiocasting Company (WALD), Walterboro, South Carolina, Docket No. 13828, File No. BP-12246; William Glenn Thomas, tr/as, Altamaha Broadcasting Company (WBGR), Jesup, Georgia, Docket No. 13829, File No. BP-12461; for construction permits.

On the Hearing Examiner's own motion: *It is ordered,* This 14th day of November 1960, pursuant to 47 CFR 1.111 that the parties or their counsel in the above-entitled proceeding are directed to appear for a prehearing conference at

the offices of the Commission, Washington, D.C., at 2:00 p.m. on December 2, 1960.

In order to conserve time counsel are requested to confer beforehand with a view to reaching advance agreement upon such routine details as the manner of presentation, dates for exchange of exhibits and such other dates as may be deemed necessary. In view of the design of the prehearing conference procedure to encourage the formulation of agreements by the parties looking towards the elimination of unessentials, so that hearing may proceed with proper dispatch, it is requested that the parties or their counsel attend this conference prepared fully to discuss—and to agree upon—such matters as will conduce materially to the attainment of this objective.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10825; Filed, Nov. 18, 1960;
8:51 a.m.]

[Docket Nos. 13528-13534; FCC 60M-1934]

WASHINGTON BROADCASTING CO. (WOL) ET AL.

Order Establishing Conference and Continuing Hearing

In re applications of Washington Broadcasting Company (WOL), Washington, D.C., Docket No. 13528, File No. BP-12145; Delaware Broadcasting Company (WILM), Wilmington, Delaware, Docket No. 13529, File No. BP-12250; WDAD, Inc. (WDAD), Indiana, Pennsylvania, Docket No. 13530, File No. BP-12455; Centre Broadcasters, Inc. (WMAJ), State College, Pennsylvania, Docket No. 13531, File No. BP-12463; Sky-Park Broadcasting Corporation (WFTR), Front Royal, Virginia, Docket No. 13532, File No. BP-12624; Miners Broadcasting Service, Inc. (WPAM), Pottsville, Pennsylvania, Docket No. 13533, File No. BP-13197; Cumberland Valley Broadcasting Corporation (WTBO), Cumberland, Maryland, Docket No. 13534, File No. BP-13471; for construction permits.

Consistent with the understanding reached at a pre-hearing conference held on July 18, 1960, counsel for the Broadcast Bureau has requested that a further pre-hearing conference be held in the above-entitled proceeding; and

It appearing, that no such conference can be scheduled before the hearing date now scheduled for November 18, 1960, which would be agreeable to the Examiner's own hearing calendar and at the same time furnish the parties a reasonable interval between final conference and hearing;

Accordingly, it is ordered, On the Examiner's own motion, that the hearing now scheduled for November 18, 1960, is continued to a date to be determined at

a pre-hearing conference which will be held on that date, November 18, 1960.

Dated: November 10, 1960.

Released: November 14, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10826; Filed, Nov. 18, 1960;
8:51 a.m.]

[Docket Nos. 13796 etc.; FCC 60-1343]

WESTERN BROADCASTING CO. ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of David P. Pinkston and Leroy Elmore, d/b as Western Broadcasting Company, Odessa, Texas, Requests: 1550 kc, 50 kw, day, Docket No. 13796, File No. BP-12329; W. J. Harpole, Canyon, Texas, Requests: 1550 kc, 1 kw, day, Docket No. 13797, File No. BP-12335; R. L. McAlister, Odessa, Texas, Requests: 1550 kc, 5 kw, day, Docket No. 13803, File No. BP-13058; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 8th day of November 1960;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, on the basis of the information before us, each of the applicants herein is legally, technically, financially and otherwise qualified to construct and operate its instant proposal; and

It further appearing, that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated December 16, 1959, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any one of the applications would serve the public interest, convenience, and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing, that the instant applicant filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications and requiring an evidentiary hearing on the particular issues hereinafter specified; and

It further appearing, that, after consideration of the foregoing, and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for

hearing in a consolidated proceeding on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the instant applicants and the availability of other primary service to such areas and populations.

2. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

3. To determine whether the interference received from any of the other proposals herein and any existing stations would affect more than ten percent of the population within the normally protected primary service area of any one of the instant proposals in contravention of § 3.28(c)(3) of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

4. To determine whether the transmitter site proposed by Western Broadcasting Company (BP-12329) is satisfactory with particular regard to any conditions that may exist in the vicinity of the antenna system which would distort the proposed antenna radiation pattern.

5. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient and equitable distribution of radio service.

6. To determine on a comparative basis in the event that Odessa, Texas is selected as having the greater need pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the competing applicants for that city would better serve the public interest in the light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the proposed station.

(b) The proposals of each of the instant applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the instant applications.

7. To determine, in the light of the evidence adduced pursuant to the foregoing issues which of the instant applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to

§ 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: November 15, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10827; Filed, Nov. 18, 1960;
8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3032]

BASIC, INC.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

NOVEMBER 15, 1960.

In the matter of Basic Incorporated Common Stock; File No. 1-3032.

Midwest Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

There has been very limited trading in the issue on this Exchange for many years. The application is being filed with the consent and approval of the company.

Upon receipt of a request, on or before December 2, 1960, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information

contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] Nellye A. THORSEN,
Assistant Secretary.

[F.R. Doc. 60-10788; Filed, Nov. 18, 1960;
8:45 a.m.]

[File No. 1-1433]

GENERAL PACIFIC CORP.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

NOVEMBER 15, 1960.

In the matter of General Pacific Corporation, Common Stock; File No. 1-1433.

Pacific Coast Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

The company has declared a final liquidation payment of cash and stock of a heretofore wholly-owned subsidiary.

Upon receipt of a request, on or before December 2, 1960, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] Nellye A. THORSEN,
Assistant Secretary.

[F.R. Doc. 60-10789; Filed, Nov. 18, 1960;
8:46 a.m.]

[File No. 1-3088]

NATUS CORP.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

NOVEMBER 15, 1960.

In the matter of Natus Corporation, Common Stock; File No. 1-3088.

New York Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of

1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

The issuer has sold its principal operating assets, has ceased to be an operating company, and has listed the stock on the American Stock Exchange.

Upon receipt of a request, on or before December 2, 1960, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 60-10790; Filed, Nov. 18, 1960;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 299]

TEXAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of October, 1960, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Texas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property situated in the following County (including any areas adjacent to said County) suffered damage or destruction

as a result of the catastrophe hereinafter referred to:

County: Travis (Flood occurring on or about October 30, 1960).

Offices

Small Business Administration Regional Office, Fidelity Building, 1000 Main Street, Dallas 2, Tex.

Small Business Administration Branch Office, Kallison Building, Room 412, 434 South Main Avenue, San Antonio 5, Tex.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to April 30, 1961.

Dated: November 2, 1960.

PHILIP MCCALLUM,
Administrator.

[F.R. Doc. 60-10791; Filed, Nov. 18, 1960;
8:46 a.m.]

[Delegation of Authority No. 30-VII-1
(Revision 2)]

CHIEF, FINANCIAL ASSISTANCE DIVISION

Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Chief, Financial Assistance Division, the following authority:

A. *Financial assistance.* 1. To approve and decline direct and participation business and disaster loans.

2. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

3. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

PHILIP MCCALLUM,
Administrator,
By _____,
(Name)

Chief, Financial Assistance Division.

4. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

5. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

6. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

7. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing, except in connection with disaster loans.

8. To take the following actions in the Administration of fisheries' loans:

(a) Amend loan authorizations;

(b) Extend the period of disbursement of loans of \$50,000 or less for a period not to exceed four months;

(c) Amend the hull insurance provision of any authorization issued prior to September 3, 1958, for a loan of \$20,000, or less;

(d) Cancel loan authorizations prior to disbursement upon the written request of the applicant; and

(e) Administer current fisheries' loans and those loans delinquent not more than 60 days within the same authority exercised with respect to SBA loans, except execute satisfactions, releases or partial release of Preferred Ship Mortgages, or other mortgages, deeds of trust, etc., securing fisheries' loans, or to postpone or change payments due or to endorse checks in payment of insurance claims when said checks are not being paid to the Government as a payment on a fishery loan.

9. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased, and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to be done for the purpose of effectuating the granted powers, including without limiting the generality of the foregoing:

(a) The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator; and

(b) The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) or liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

B. *Administrative.* 1. To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

C. *Correspondence.* To sign all correspondence relating to the Financial Assistance functions, except Congressional correspondence and communications involving new policy matters.

II. The specific authority in I.A. 1. through 9 may be redelegated. The authority delegated in I.C. (with the exception of Congressional correspondence, communications involving new policy matters) may be redelegated, limiting such redelegation to routine correspondence only.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previous authority delegated by the Regional Director to the Chief, Financial Assistance Division is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: October 24, 1960.

WILLIAM H. KELLEY,
Regional Director,
Chicago Regional Office.

[F.R. Doc. 60-10792; Filed, Nov. 18, 1960;
8:46 a.m.]

[Delegation of Authority No. 30-VII-2,
(Revision 1)]

CHIEF, PROCUREMENT AND TECHNICAL ASSISTANCE DIVISION

Delegation Relating to Procurement and Technical Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended, (25 F.R. 1706 and 7418) there is hereby redelegated to the Chief, Procurement and Technical Assistance Division, the following authority:

A. *Procurement & technical assistance.* 1. To: (a) Determine joint set-asides for Government procurements and sales; (b) to determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established interagency policy agreements.

B. *Administrative.* To approve annual and sick leave for employees under his supervision.

C. *Correspondence.* To sign all correspondence relating to the procurement and technical assistance functions, except Congressional correspondence and communications involving new policy matters.

II. The specific authority in I.A. 1(b) may not be redelegated. The authority in I.C. (with the exception of Congressional correspondence and communications involving new policy matters) may be redelegated, limiting such redelegation to routine correspondence only.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Procurement and Technical Assistance Division.

IV. All previous authority delegated by the Regional Director to the Chief, Procurement and Technical Assistance Division is hereby rescinded without prejudice to actions taken under all such delegations prior to the date hereof.

Dated: October 24, 1960.

WILLIAM H. KELLEY,
Regional Director,
Chicago Regional Office.

[F.R. Doc. 60-10793; Filed, Nov. 18, 1960;
8:46 a.m.]

[Delegation of Authority No. 30-VII-4
(Revision 2)]

REGIONAL COUNSEL

Redelegation of Authority

I. Pursuant to the authority vested in the Regional Director by Delegation of Authority No. 30 (Revision 6) (25 F.R.

No. 226—4

1706 and 7418) there is hereby redelegated to the Regional Counsel, the following authority:

A. *Legal.* To disburse approved loans.

B. *Administrative.* To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

C. *Correspondence.* To sign all correspondence relating to the legal functions of the regional office, except Congressional correspondence and communications involving new policy matters.

II. The specific authority in I. A. and B. may not be redelegated. The authority in I.C. (with the exception of Congressional correspondence and communications involving new policy matters) may be redelegated, limiting such redelegation to routine correspondence only.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Regional Counsel.

IV. All previous authority delegated by the Regional Director to the Regional Counsel is hereby rescinded without prejudice to actions taken under all such delegations prior to the date hereof.

Dated: October 24, 1960.

WILLIAM H. KELLEY,
Regional Director,
Chicago Regional Office.

[F.R. Doc. 60-10794; Filed, Nov. 18, 1960;
8:46 a.m.]

[Delegation of Authority No. 30-VII-5,
(Revision 3)]

BRANCH MANAGER, INDIANAPOLIS, IND.

Delegation Relating to Financial Assistance, Procurement and Technical Assistance, Investment Program, and Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Branch Manager, Indianapolis Branch Office, the following authority:

A. *Financial assistance.* 1. To approve direct and participation business and disaster loans.

2. To decline the following types of loans:

a. Direct and participation business loans in an amount not exceeding \$50,000.

b. Disaster loans.

c. Limited loan participation loans.

3. To disburse approved loans.

4. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

PHILIP MCCALLUM,
Administrator,

By _____
(Name)

Manager, Indianapolis Branch Office.

6. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing, except in connection with disaster loans.

10. To take all necessary actions in connection with the administration, servicing and collection of current and problem loans.

B. *Investment program.* 1. To disburse section 502 loans.

2. To extend the disbursement period on section 502 loan authorizations or undisbursed portions of section 502 loans.

3. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.

4. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

C. *Procurement and technical assistance.* To: (a) Determine joint set-asides for Government procurements and sales; (b) to determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established interagency policy agreements.

D. *Administration.* 1. To administer oaths of office.

2. To approve (a) annual and sick leave, except advanced annual and sick leave, and (b) leave without pay not to exceed 30 days for employees under his supervision.

3. To (a) make emergency purchases chargeable to the Administrative expense fund, not in excess of \$50 in any one object class in any one instance but not more than \$100 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance.

4. In connection with the establishment of disaster loan offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitations) emergency supplies and materials.

5. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

6. To (a) authorize or approve official travel for employees of the branch office and (b) administratively approve travel reimbursement claims.

7. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. *Correspondence.* To sign all correspondence, including Congressional correspondence relating to the functions of the branch office, except communications involving new policy matters which shall be referred to the regional office for clearance.

II. The specific authority in I. A., B., C., and D. may be redelegated.

III. The authority delegated in I.E. (with the exception of Congressional correspondence, communications involving new policy matters) may be redelegated, limiting such redelegation to routine correspondence only.

IV. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

V. All previous authority delegated by the Regional Director to the Branch Manager, Indianapolis, Indiana, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: October 24, 1960.

WILLIAM H. KELLEY,
Regional Director,
Chicago Regional Office.

[F.R. Doc. 60-10795; Filed, Nov. 18, 1960;
8:46 a.m.]

[Delegation of Authority No. 30-VII-14]

CHIEF, LOAN LIQUIDATION SECTION

Delegation Relating to Loan Liquidation Functions

I. Pursuant to the authority vested in the Chief, Financial Assistance Division by the Regional Director, by Delegation of Authority No. 30-VII-1 (Revision 2) dated October 24, 1960, there is hereby redelegated to the Chief, Loan Liquidation Section, the following authority:

A. *Financial assistance.* To take all necessary actions in connection with the liquidation of partially or fully disbursed loans, other obligations and acquired property.

B. *Administrative.* To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

C. *Correspondence.* To sign all correspondence relating to the loan liquidation functions, except Congressional correspondence, correspondence with the Washington office, communications involving new policy matters and letters to borrowers or guarantors containing any threat of legal action.

II. The specific authority in I. A. and B. may not be redelegated. The authority in I.C. (with the exception of Congressional correspondence, correspondence with the Washington office, communica-

tions involving new policy matters and letters to borrowers or guarantors containing any threat of legal action) may be redelegated, limiting such redelegation to routine correspondence only.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Liquidation Section.

Dated: October 24, 1960.

LOGAN B. HENDRICKS,
Chief, Financial Assistance Division,
Chicago Regional Office.

[F.R. Doc. 60-10796; Filed, Nov. 18, 1960;
8:47 a.m.]

[Delegation of Authority No. 30-VII-15]

DEPUTY REGIONAL DIRECTOR

Delegation Relating to Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Deputy Regional Director, the following authority:

A. *Administrative.* 1. To authorize and approve his own personal travel.

2. To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

B. *Correspondence.* To sign routine correspondence, including Congressional correspondence relating to the functions of the regional office, except communications involving new policy matters which shall be referred to the appropriate Washington office for clearance.

II. The specific authority delegated herein may not be redelegated.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Deputy Regional Director.

Dated: October 24, 1960.

WILLIAM H. KELLEY,
Regional Director,
Chicago Regional Office.

[F.R. Doc. 60-10797; Filed, Nov. 18, 1960;
8:47 a.m.]

[Delegation of Authority No. 53 (Revision 2)]

CHIEF, LICENSING AND LOANS DIVISION

Delegation Relating to Licensing and Loans Functions of the Investment Division

I. Pursuant to the authority delegated to the Director, Office of Investment by the Deputy Administrator for the Investment Division, by Delegation of Authority No. 54, dated June 27, 1960, there is hereby redelegated to the Chief, Licensing and Loans Division the authority:

A. *Investment.* To approve disbursement of loans under sections 302, 303 and 501 of the Small Business Investment Act of 1958.

B. *Administrative.* To approve (a) sick and annual leave, (b) leave without pay not in excess of 30 days, and (c) overtime work for employees under his supervision.

C. *Correspondence.* To sign routine, non-policymaking correspondence, except Congressional correspondence, relating to the functions of the Licensing and Loans Division.

II. The authority delegated in I.A. and I.B. (b) and (c) may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Licensing and Loans Division.

IV. All previous authority delegated by the Deputy Administrator for the Investment Division to the Chief, Licensing and Loans Division, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: June 27, 1960.

ALEXANDER D. HARVEY,
Director,
Office of Investment.

[F.R. Doc. 60-10798; Filed, Nov. 18, 1960;
8:47 a.m.]

[Delegation of Authority No. 54]

DIRECTOR, OFFICE OF INVESTMENT

Delegation Relating to the Investment Program

I. Pursuant to the authority delegated to the Deputy Administrator of the Investment Division, by the Administrator by Delegation of Authority No. 50 (Revision 3) (25 F.R. 7418), there is hereby redelegated to the Director, Office of Investment the authority:

A. *Investment.* To approve disbursement of loans under sections 302, 303 and 501 of the Small Business Investment Act of 1958.

B. *Administrative.* 1. To authorize or approve (a) his personal travel and (b) the travel of Washington Office employees under his supervision except travel when actual travel subsistence is requested.

2. To approve (a) sick and annual leave, (b) leave without pay not in excess of 30 days and (c) overtime work for employees under his supervision.

C. *Correspondence.* To sign routine, non-policymaking correspondence, except Congressional correspondence, relating to the functions of the Investment Program.

II. The authority delegated in I.B.1. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Director, Office of Investment.

Effective date: June 27, 1960.

DUNCAN H. READ,
Deputy Administrator,
Investment Division.

[F.R. Doc. 60-10799; Filed, Nov. 18, 1960;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 16, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36708: *Bituminous coal—Fulton County, Ill., to Minnesota.* Filed by Illinois Freight Association, Agent (No. 115), for interested rail carriers. Rates on bituminous fine coal, in carloads, subject to an aggregate minimum of 3,000 tons of 2,000 pounds, from mines in Fulton County, Ill., to Minneapolis, St. Paul, South St. Paul, Minnesota Transfer and Black Dog, Minn.

Grounds for relief: Maintain origin rate relationship.

Tariffs: Supplements 111 and 91 to Chicago and North Western Railway Company tariffs I.C.C. 11208 and 89 (M&St.L series), and supplement 137 to Chicago, Burlington & Quincy Railroad Company tariff I.C.C. 20447.

FSA No. 36709: *T.O.F.C. service—Between points in the southwest.* Filed by J. D. Hughett, Agent (No. 33), for interested rail carriers. Rates on various commodities moving on class rates loaded in trailers and transported on railroad flat cars between points in Louisiana, New Mexico, Oklahoma, Texas and Southwest City, Mo., also between such points, on the one hand, and points in Arkansas, also Memphis, Tenn., Natchez and Vicksburg, Miss., on the other.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 31 to Agent J. D. Hughett's tariff MF-I.C.C. 301.

FSA No. 36710: *Substituted service—PRR for Central New York Freightways, Inc.* Filed by Middle Atlantic Conference, Agent (No. 31), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Buffalo, N.Y., and Kearny, N.J., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Middle Atlantic Conference tariff I.C.C. 14, MF-I.C.C. A-1129.

FSA No. 36711: *Steel bars—Lemont, Ill., to Western Trunk Line points.* Filed by Western Trunk Line Committee, Agent (No. A-2151), for interested rail carriers. Rates on steel bars, in carloads, as described in the application, from Lemont, Ill., to Council Bluffs, Iowa, Minneapolis, Minnesota Transfer and St. Paul, Minn., Kansas City, Mo.-Kans., and Omaha, Nebr.

Grounds for relief: Barge competition.

Tariffs: Supplements 3 and 18 to Western Trunk Line Committee tariffs I.C.C. A-4347 and A-4271, respectively.

FSA No. 36712: *Substituted service—C&O and PRR for McLean Trucking Company.* Filed by Middle Atlantic Conference, Agent (No. 30), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars between Charleston and Huntington, W. Va., on the one hand, and Baltimore, Md., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Middle Atlantic Conference tariff I.C.C. 14, MF-I.C.C. A-1129.

FSA No. 36713: *Liquid fertilizers—From and to southern, southwestern and WTL territory points.* Filed by Southwestern Freight Bureau, Agent (No. B-7920), for interested rail carriers. Rates on liquid fertilizers, in tank-car loads, as described in the application, from points in southern, southwestern and western trunk line territories to points in Wyoming, and from points in Colorado, Idaho and Utah to points in southern, southwestern and western trunk line territories.

Grounds for relief: Short-line distance formula and grouping.

Tariffs: Supplement 112 to Southwestern Freight Bureau tariff I.C.C. 4290, and other schedules listed in the application.

FSA No. 36714: *Plaster and related articles—Ashley, Tex., to the southwest.* Filed by Southwestern Freight Bureau, Agent (No. B-7925), for interested rail carriers. Rates on plaster, gypsum wallboard and related articles, in carloads, as described in the application, from Ashley, Tex., to points in Arkansas, Louisiana, Missouri, New Mexico, Oklahoma and Texas, also Natchez and Vicksburg, Miss., and Memphis, Tenn.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 103 to Southwestern Freight Bureau tariff I.C.C. 4149.

FSA No. 36715: *Cement—Ala., and Ga., to Florida.* Filed by O. W. South, Jr., Agent (No. A4040), for interested rail carriers. Rates on cement and related articles, in carloads, as described in the application, from Birmingham, Graystone, Landmark, Leeds, Ragland, Roberta and Spocari, Ala., Clinchfield and Rockmart, Ga., and points grouped therewith, to local stations on the Seaboard Air Line Railroad Company grouped with Ft. Lauderdale, Homestead and Miami, Fla.

Grounds for relief: Market and cross-country rail competition.

FSA No. 36716: *Automobiles from Michigan to southern territory.* Filed by Traffic Executive Association-Eastern Railroads, Agent (CTR No. 2447), for interested rail carriers. Rates on automobiles, passenger, new, set up, in carloads, from Lansing and Pontiac, Mich., to points in southern territory.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 2 to Traffic Executive Association-Eastern Railroads tariff I.C.C. C-171.

FSA No. 36717: *Asphalt—Baltimore, Md., to Danville, Va.* Filed by Traffic

Executive Association-Eastern Railroads, Agent (ER No. 2562), for interested rail carriers. Rates on asphalt (asphaltum), natural, byproduct of petroleum, other than paint, stain or varnish, in tank-car loads, from Baltimore, Md., to Danville, Va.

Grounds for relief: Market competition.

Tariff: Supplement 13 to Traffic Executive Association-Eastern Railroads tariff I.C.C. A-932 (Boin series).

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-10805; Filed, Nov. 18, 1960; 8:48 a.m.]

[Notice 411]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 16, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 63547. By order of November 14, 1960, the Transfer Board approved the transfer to Wynne Transport Service, Inc., Omaha, Nebr.; of Certificate in No. MC 119501, issued July 7, 1960, to C. E. Danielson, doing business as Service Oil Company, Omaha, Nebr.; authorizing the transportation of: Petroleum products, in bulk, in tank vehicles, from refining and distributing points in Kansas, to Fairfax, Mound City, Rockport, Tarkio, Westboro and Maryville, Mo., Missouri Valley, Afton and Red Oak, Iowa and points in Iowa within 50 miles of Red Oak, and from Carter Lake, Iowa, and Omaha, Nebr., and points within 10 miles of each, to points in a specified territory in Iowa. Joseph C. Byrne, 404 Keeline Building, Omaha 2, Nebr., for applicants.

No. MC-FC 63577. By order of November 14, 1960, the Transfer Board approved the transfer to W. R. Meredith, doing business as Meredith Transfer, Northfork, W. Va., of Certificate No. MC 34814 issued June 14, 1944, to Roy Rose, Northfork, W. Va., authorizing the transportation of household goods between points in West Virginia within 30 miles of Northfork, W. Va., on the one hand, and, on the other, points in West Virginia, Virginia, and North Carolina, and that part of Tennessee on and east of U.S. Highways 25 and 25E. W. R. Meredith, Northfork, W. Va., for both applicants.

No. MC-FC 63630. By order of November 14, 1960, the Transfer Board approved the transfer to Schmidt's Motor Express, Inc., Callicoon Center, N.Y., of Certificates Nos. MC 33317, MC 33317 Sub 1, and MC 33317 Sub 2, issued February 3, 1942, February 2, 1942, and June 15, 1953, respectively, in the name of Peter D. Schmidt, doing business as Schmidt's Motor Express, Callicoon Center, N.Y., authorizing the transportation over irregular routes, of nursery stock, from Callicoon, N.Y., and points in New York and Pennsylvania, to New York, N.Y., and specified points in New York, New Jersey and Connecticut; groceries, from New York, N.Y., to Twin Lakes, Pa.; general commodities, excluding household goods, commodities in bulk, and various specified commodities, between Callicoon Center, N.Y., and points in New York and Pennsylvania within 25 miles of Callicoon Center, on the one hand, and, on the other, New York, N.Y., and points in New Jersey; eggs, poultry, camp supplies, groceries, and trunks, between points in Wayne County, Pa., on the one hand, and, on the other, New York, N.Y.; household goods, between points in Wayne County, Pa., on the one hand, and, on the other, points in New York and New Jersey; general commodities, not excluding household goods and commodities in bulk, between Hancock, N.Y., on the one hand, and, on the other, points in New York and Pennsylvania, within 50 miles of Hancock; and farm products and household goods as defined by the Commission, between points in New York within 10 miles of Hancock, on the one hand, and, on the other, points in New York, New Jersey, and Vermont. William D. Traub, 10 East 40th Street, New York 16, N.Y., for applicants.

No. MC-FC 63664. By order of November 14, 1960, the Transfer Board approved the transfer to Gordon E. Heibert, Box 93, Herlong, Calif., of Certificate in No. MC 96159, issued April 1, 1941 to Clyde S. Deal, Box 532, Susanville, Calif.,

authorizing the transportation of: Passengers and their baggage, restricted to traffic originating at the points indicated, in charter operations, over irregular routes, from Susanville and Westwood, Calif., to Reno, Nev., and points within 50 miles of Reno, and return.

No. MC-FC 63688. By order of November 14, 1960, the Transfer Board approved the transfer to Roy Francis Messinger, doing business as Messinger's, Cedar Rapids, Iowa, of Certificate No. MC 65342 issued June 26, 1951 to R. F. Messinger and J. L. Messinger, a partnership, doing business as Messinger's, Cedar Rapids, Iowa, authorizing the transportation of heavy machinery and wrecked automobiles and trucks, over irregular routes, between Cedar Rapids, Iowa, on the one hand, and, on the other, points in Illinois. Roy Francis Messinger, 1127 Fifth Street NW., Cedar Rapids, Iowa, for applicants.

No. MC-FC 63706. By order of November 14, 1960, the Transfer Board approved the transfer to Aron Pavelsky, Westbrookville, N.Y., of Certificate No. MC 94387, issued January 15, 1952, to John A. Rogel, Livingston Manor, N.Y., authorizing the transportation of: Passengers and their baggage, in special operations in nonscheduled, door-to-door service, limited to the transportation of not more than six passengers in any one vehicle, but not including the driver nor children under 10 years of age who do not occupy a seat, during the season extending from the 1st day of June to the 1st day of October, inclusive, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in Sullivan and Ulster Counties, N.Y., traversing New Jersey for operating convenience only. Harris J. Klein, 280 Broadway, New York 7, N.Y., for applicants.

No. MC-FC 63718. By order of November 14, 1960, the Transfer Board approved the transfer to Peter Vesely,

Stephen Vesely, Edward Vesely and Frances Vesely, a partnership, doing business as Vesely Brothers "The Movers", Box F, Fayette City, Pa., of Certificate in No. MC 51518, issued September 16, 1940, to Peter Vesely and Stephen Vesely, a partnership, doing business as Vesely Brothers, Box F, Fayette City, Pa., authorizing the transportation of: Household goods, over irregular routes, between points in Pennsylvania, on the one hand, and on the other, points in West Virginia, Ohio, New York, New Jersey, Michigan, Maryland, Delaware, Indiana, Illinois, Massachusetts, Virginia, Vermont, Rhode Island, Connecticut, and the District of Columbia.

No. MC-FC 63725. By order of November 14, 1960, the Transfer Board approved the transfer to Law Trucking Company, a corporation, 19 Old Mendon Road, Cumberland, R.I., of Certificate No. MC 99764 Sub 1 issued March 19, 1958, to Robert B. Law, doing business as Law Trucking Co., Lonsdale, R.I., authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and various specified commodities, over regular routes, between Boston, Mass., and Providence, R.I., serving the intermediate points of Taunton, New Bedford, and Fall River, Mass., and Pawtucket, R.I.; and the off-route points of Middleboro, Mass., and those in Massachusetts within 10 miles of Boston; textiles, textile products, and equipment supplies, and materials used in the manufacture of textiles and the maintenance of textile mills, over irregular routes, between points in Rhode Island; and between Providence, R.I., on the one hand, and, on the other, points in Connecticut and Massachusetts. Francis R. Foley, 255 Main Street, Pawtucket, R.I., for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 60-10806; Filed, Nov. 18, 1960;
8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—NOVEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during November.

3 CFR	Page	7 CFR—Continued	Page	17 CFR	Page
PROCLAMATIONS:		PROPOSED RULES—Continued		230	10452
3378	10449	961	10938	286	10452
3379	10863	984	10540, 11035	18 CFR	
3380	10864	989	10540	1	10868
3381	10864	994	10459, 10851	19 CFR	
EXECUTIVE ORDERS:		1010	10938	3	10797
7908	10863	1018	11035	PROPOSED RULES:	
8531	10863	1025	10872	1	10994
10152	10731	1031	10705	20 CFR	
10560	10731	1032	10772	01	10793
10575	10731	1034	10463	02	10793
10610	10731	8 CFR		1	10793
10625	10731	264	10495	2	10794
10663	10731	299	10495	3	10794
10742	10731	335	10495	25	10794
10822	10731	338	10495	31	10794
10891	10525	9 CFR		41	10794
10892	10731	18	11007	51	10794
10893	10731	24	11007	61	10795
10894	10913	25	11007	62	10795
PRESIDENTIAL DOCUMENTS OTHER		27	11007	81	10795
THAN PROCLAMATIONS AND EXEC-		29	11007	91	10795
UTIVE ORDERS:		74	10450, 10926	21 CFR	
Letter, Nov. 6, 1954	10733	10 CFR		8	10600
Letter, Apr. 15, 1955	10733	20	10914	19	10532
Memorandum, June 1, 1953	10733	12 CFR		20	10532
Memorandum, June 16, 1953	10733	204	10495	25	10532
Memorandum, July 24, 1956	10733	210	10495	120	10454, 10570
Memorandum, Nov. 19, 1959	10733	217	10868	121	10570
Memorandum, Nov. 8, 1960	10733	14 CFR		141a	10454
5 CFR		298	10926	146	10454
6	10565	507	10496, 10569, 10570, 10648, 10649, 10762, 10797, 10798, 10927, 10972	146a	10454
27	10645	514	10496	147	10455
204	10565	550	10972	PROPOSED RULES:	
301	10566	565	10734	120	10459,
6 CFR		600	10497, 10526, 10527, 10698, 10762, 10798, 10927	10499, 10575, 10664, 10738, 10891	
331	10646, 10647	601	10497, 10526-10530, 10649, 10698-10700, 10762, 10798, 10801, 10927	121	10552, 10575, 10891, 10892
371	10924	602	10530, 10734	24 CFR	
446	10647	603	10527, 10528, 10531, 10591, 10649, 10700, 10798, 10801, 10868	200	10571
464	11030	609	10592, 10596, 10801	263	10571
482	10566	1201	10762	300	10532
483	10757, 10758	PROPOSED RULES:		26 (1954) CFR	
484	11032	60	10772	20	10869
503	10865	241	11038	48	11028
7 CFR		293	10575	270	10928
54	10681	295	10944	301	10928
70	10759	298	10575	PROPOSED RULES:	
319	10865	507	10577	1	10482, 10601, 10850, 10936
354	10796	514	10852, 10947	151	10702
401	10969-10972	600	10552, 10601, 10602, 10706, 10773-10775, 11008-11010, 11039	29 CFR	
422	10969	601	10482, 10552, 10553, 10578, 10601, 10602, 10706, 10773-10779, 11008-11010, 11039	2	10572
729	10567, 10924	608	10602, 11039	601	10762
873	10568	625	10892	670	11032
914	10589, 10760, 10866, 11025	15 CFR		PROPOSED RULES:	
933	10526, 10589, 10590, 11025-11027	230	10497	526	10851
953	10450, 10591, 10647, 10760, 10866, 11028	16 CFR		30 CFR	
958	10450, 10866	13	10451, 10452, 10734, 10735, 10867, 10989, 10990	PROPOSED RULES:	
989	10796	PROPOSED RULES:		36	10534
997	10648	301	10554, 10779	31 CFR	
1001	10796			368	10869
1015	10698			32 CFR	
1031	10591, 10760, 10761			30	10533
1069	10867			508	10700
PROPOSED RULES:				515	10700
903	10994			542	10650
913	10573				
914	10664				
927	10601				
942	10704				

32 CFR—Continued

	Page
577-----	10650
590-----	10651
591-----	10651
592-----	10651
594-----	10651
596-----	10651
601-----	10651
606-----	10651
710-----	10807
711-----	10824
855-----	10456
856-----	10457
1007-----	10458

33 CFR

203-----	10914
----------	-------

36 CFR

311-----	10736
PROPOSED RULES:	
7-----	10850

38 CFR

17-----	10662
21-----	10533, 10990
36-----	10763

39 CFR

142-----	10991
151-----	10991
162-----	10991
168-----	10869

41 CFR

5-3-----	11030
5-51-----	11030
18-1-----	10763
18-9-----	10766

42 CFR

PROPOSED RULES:	
73-----	10772

43 CFR

PUBLIC LAND ORDERS:	
1932-----	10895
1939-----	10500
2205-----	10497

44 CFR

100-----	10571
----------	-------

46 CFR

2-----	10616
4-----	10617
25-----	10617
32-----	10617
33-----	10618
34-----	10621
35-----	10621
36-----	10622
38-----	10623
39-----	10623
43-----	10934
55-----	10623
71-----	10625
75-----	10625
76-----	10629
78-----	10629
91-----	10629
94-----	10630
95-----	10633
97-----	10633
98-----	10634
110-----	10635
111-----	10635
112-----	10636

46 CFR—Continued

	Page
113-----	10636
160-----	10636
162-----	10640
167-----	10642

PROPOSED RULES:

298-----	11038
----------	-------

47 CFR

3-----	10736
7-----	10769
8-----	10769
9-----	10769
10-----	10769
11-----	10769
16-----	10769
19-----	10769

PROPOSED RULES:

1-----	10738
2-----	11010
9-----	11010
10-----	10948, 11010
11-----	10603, 11010
16-----	11010
19-----	11010
21-----	11010

49 CFR

95-----	10992
170-----	10934
194-----	10770

PROPOSED RULES:

25-----	10893
---------	-------

50 CFR

32-----	10771, 10871, 10935
33-----	10663, 10871, 11034
255-----	10458



